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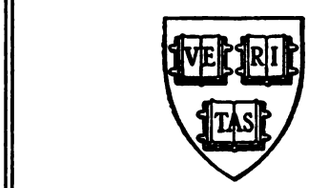

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Vancouver Island. House of assembly. Select committee . .

VANCOUVER ISLAND.

MINUTES of PROCEEDINGS

OF A

SELECT COMMITTEE

OF THE

HOUSE OF ASSEMBLY,

Appointed to inquire into the present condition of the CROWN LANDS of the COLONY, with reference to the proposal of HER MAJESTY'S SECRETARY of STATE for the COLONIES, dated 15th June, 1863, to hand over the CROWN LANDS to the LEGISLATURE.

VICTORIA:
PRINTED BY HARRIES AND COMPANY, FOR HER MAJESTY'S GOVERNMENT.

1864.

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COMMITTEE BOOK, 1863.

On Friday, the 18th inst., I shall move that a Committee of seven be appointed to investigate the present condition of the Crown Lands of this Colony with referance to the proposition in the Despatch recently laid before this House, of the Secretary for the Colonies, for handing over the Crown Lands to the Legislature.

Sept. 11th, 1863. (Signed), JAMES TRIMBLE.

Committee Room, Sept. 28th 1863.—Committee on the Public Lands of the Colony. Absent, Mr. Burnaby. Present, Dr. Trimble, (in the chair), Col. Foster, Messrs. Ridge, Duncan, De Cosmos, Dr. Tolmie.

Moved by Mr. De Cosmos, seconded by Dr. Tolmie, and

Resolved—That the Committee report through its Chairman its opinion regarding the appointment of a clerk to this Committee. That the Committee ask the House for power to call for persons, papers, and Records. (Signed), JAMES TRIMBLE, Chairman.

Committee Room, Oct. 2d, 1863.—Absent, Col. Foster, Mr. Burnaby, Mr. Ridge, Mr. Duncan. Present, Dr. Trimble, (in the chair), Mr. De Cosmos, Dr. Tolmie. No quorum.

Resolved by Members present, that absent Members be reported to the House.

(Signed), JAMES TRIMBLE, Chairman.

Committee Room, Oct. 14th, 1863.—Absent, Col. Foster. Present, Dr. Trimble, (in the chair), Messrs. De Cosmos, Duncan, Burnaby, Ridge, Dr. Tolmie.

Moved and seconded that John Creighton be appointed Messenger to this Committee.

Resolved—That the Committee sit with closed doors.

Resolved—That the Chairman be empowered to summon Mr. B. W. Pearse, Acting Surveyor General.

Resolved—That the Committee do now rise.

(Signed), JAMES TRIMBLE, Chairman.

Committee Room, Oct, 19th, 1863.—Present, Dr. Trimble, (in the chair), Messrs. De Cosmos and Ridge. No quorum. (Signed), JAMES TRIMBLE, Chairman.

Committee Room, Oct. 20th, 1863.—Present, Dr. Trimble, (in the chair), Mr. De Cosmos. No quorum. (Signed), JAMES TRIMBLE, Chairman.

Committee Room, Oct. 23d, 1863.—Present, Messrs. De Cosmos, Ridge, Duncan, Dr. Tolmie. There being no quorum, it was

Resolved—To call the attentiom of Mr. Speaker to the repeated non-attendanee of Members of the Committee.

Committee Room, Oct. 26th, 1863.—Present, Dr. Trimble, (in the chair), Dr. Tolmie, Col. Foster, Messrs. Ridge, De Cosmos, Duncan, Burnaby. Mr. De Cosmos moved

That the Crown Lands unpre-empted be taken into consideration; first, with regard to their extent, quality, and value.

Seconded by Mr. Burnaby and carried.

Proposed by Mr. De Cosmos, seconded by Mr. Ridge, and carried:

That the Committee proceed to find the extent, locality, value, and character of the Public Reserves of the Colony, after they have considered the unpre-empted Lands.

Proposed by Mr. De Cosmos, seconded by Mr. Burnaby, and carried:

That the Committee next consider the extent of lands pre-empted and supposed to be forfeited; and also the arrears due on pre-empted and purchased land, now in possession of pre-emptors and purchasers.

Proposed by Mr. De Cosmos—not seconded—That Lands in dispute between the Crown and holders be next considered.

Proposed by Dr. Tolmie, seconded by Mr. Duncan, and carried:

That Lands in dispute between the Crown and holders be next considered, with regard to their value only as a possible asset.

For—Messrs. Burnaby, Ridge, Duncan, Col. Foster, Dr. Tolmie. *Against*—Mr. De Cosmos.

The Committee then adjourned to to-morrow, at 1 P. M.

(Signed), JAMES TRIMBLE, Chairman.

Committee Room, Oct. 27th, 1863.—The Committee met this day at 12 M.—Present, Dr. Trimble, (in the chair), Messrs. Duncan, Ridge, Dr. Tolmie, Mr De Cosmos. The minutes of last meeting having been read and confirmed, Mr. B. W. Pearse, Acting Surveyor General, was called.

Moved by Mr. De Cosmos and carried unanimously:

That an order of the Committee be made and served on the Acting Surveyor General forthwith, ordering him to lay before this Committee at once the maps of the Colony, viz.:—The map of the whole Colony, and the official maps of the different Districts.

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The following order was served on Mr. Pearse, Acting Surveyor General:

COMMITTEE ROOM,
House of Assembly, Oct. 27th, 1863.

SIR—You are required by the Committee on Crown Lands to forthwith produce a map of the Colony, and official maps of the different Districts.

(Signed), JAMES TRIMBLE, Chairman.

B. W. Pearse, Esq., Acting Surveyor General.

The following letter was received from B. W. Pearse, Esq., Acting Surveyor General:

LANDS AND WORKS DEPARTMENT,
October 27th, 1863.

SIR—I have the honor to acknowledge receipt of order of this date, and to state that without instructions from H. E. the Governor, I have no power to produce the books and documents belonging to this department. I have the honour to be, &c.

(Signed), B. W. PEARSE, Acting Surveyor General.

The Chairman of the Select Committee.

Resolved—That the refusal of the Acting Surveyor General, Mr. W. B. Pearse, to produce maps required by the order of this Committee on Crown Lands, be reported to the House.

Oct. 27, 1863. (Signed), JAMES TRIMBLE.

Resolved—That Mr. B. W. Pearse having failed to return to complete his evideuce before the Crown Lands Committee, the same be reported to the House.

(Signed), JAMES DUNCAN.

The Committee then adjourned. (Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, October 31, 1863.—The Committee met this day, at 1 P. M. Present, Dr. Trimble, (in the chair), Col. Foster, Dr. Tolmie, Messrs. Ridge, De Cosmos.

Resolved—That power be asked of the House to enable the Committee on Crown Lands to adjourn from time to time, and place to place.

The Committee then adjourned to Tuesday next, subject to the arrival of the mail.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, November 3, 1863.—The following members met at 1 P. M. Present, Messrs. Duncan, De Cosmos, C. Ridge. Absent, Dr. Trimble, Col. Foster, Dr. Tolmie, consequently there was no quorum.

COMMITTEE ROOM, November 4, 1863.—Present, Dr. Trimble, (in the chair), Dr. Tolmie, Messrs. De Cosmos, Ridge, Duncan. Absent. Col. Foster, Mr. Burnaby, (on leave).

Resolved—That the Committee do adjourn to the Land and Works office.

The Committee adjourned accordingly, and put the following questions to the Acting Surveyor General:

By Committee,

What is the approximate length of the Island?—About 295 miles.

What is the mean breadth of the Island?—About 35 miles.

What is the total area in square miles?—10.500 miles.

What is the total number of acres?—Six millions, seven hundred and twenty thousand.

It was moved and carried that a copy of the following questions be furnished to Mr. Pearse, Acting Surveyor General.

How many acres of land are sold in each surveyed District? naming the district.

How many acres pre-empted in each surveyed District? naming the district.

How many acres unsold and unpre-empted in each surveyed District? naming the district.

How many Reserves in each surveyed District? naming district and what reserves are for, and their extent each.

What is the extent of each District? naming district.

What is the extent of lands pre-empted, which are unsurveyed, and where located?

What number of Reserves are unsurveyed land, their extent and purpose?

What is the area in acres and miles of land in this Colony, not pre-empted sold or reserved?,

What is the character and quality of land, unpre-empted or unsold in each District?

What is the character and quality of the remaining Public Lands unsold and unpre-empted throughout the Island? stating the probable quantity of agricultural land, timber land, coal fields, or any other particulars, giving a tangible value?

What pre-empted lands supposed to be forfeited?

The Committee then adjourned to to-morrow at 1 P. M., subject to arrival of the mail.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, November 5, 1863.—Present, Messrs. Ridge, De Cosmos. Absent, Dr. Trimble, Col. Foster, Dr. Tolmie, Mr. Duncan, Mr. Burnaby, (on leave). No quorum.

COMMITTEE ROOM, November 6, 1863.—Absent, Col. Foster, Mr. Ridge, Mr. De Cosmos, Mr. Burnaby, (on leave). Present, Dr. Trimble, (in the chair), Dr. Tolmie, Mr. Duncan. No quorum.

COMMITTEE ROOM, November, 9, 1863.—There was no meeting on this day, it being the anniversary of the birth of H. R. H. The Prince of Wales.

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EVIDENCE OF MR. W. A. G. YOUNG, COLONIAL SECRETARY.

COMMITTEE ROOM, November 10, 1863.—Absent, Col. Foster, Messrs. Ridge, Burnaby, (on leave), Dr. Tolmie, Dr. Trimble. Present, Messrs. De Cosmos, Duncan. No quorum.

COMMITTEE ROOM, November. 11, 1863.—Absent, Dr. Tolmie, Mr. Burnaby, (on leave). Present, Dr. Trimble, (in the chair), Col. Foster, Messrs. De Cosmos, Duncan, Ridge.

Moved by Mr. Duncan, seconded by Mr. De Cosmos, and carried:

That the Clerk do take his seat at the table, and act as Secretary.

The Clerk accordingly took his seat.

MR. W. A. G. YOUNG, Colonial Secretary, examined.

How long have you been Colonial Secretary?—For the last five years nearly, I have performed the duties.

When you were first inducted into the office of Colonial Secretary, were you aware that there were any lands in dispute between the Crown and holders? I was not.

Did you learn since that time that there were lands in dispute between the Crown and holders?—I did.

When did you first learn it?—I think about the autumn of 1859. I believe the question was first raised by Mr. Dallas claiming the proceeds as the property of the Hudson Bay Company, of a portion of land, between the South corner of Government and Yates Streets.

By Chairman.

Do you know the extent of that land?—I do not.

Does the Government still claim that land?—The Colonial Government claim the unsold residue of the land.

Are the unsold portions of those lots still under dispute, or has the Home Government adjudicated upon them?—I am not aware.

By Mr. De Cosmos.

By whose authority were said portions sold?—As I have always understood by the authority of the Governor in the first instance, but I do not know of my own knowledge.

Could you point out on the map the exact land in dispute at that time?—Nearly so.

What are the present boundaries of the land, about which the dispute was raised?—To the best of my belief, the South corner of Yates Street at its intersection of Government Street, to the North corner of Bastion Street, down Bastion Street to the East of the police barracks, along the present limits of the police barracks, and back again into Yates Street by Langley's store.

By Mr. Ridge.

What has become of the proceeds of the parts sold?—I am not aware.

By Mr. De Cosmos.

Do you know the gross amount?—I have heard about 27,000 dollars, but the whole amount was received by the Hudson Bay Company.

How came the Hudson Bay Company to receive the amount?—They advanced about $27,000 to the Government, for the erection of the new Government buildings.

By Mr. Ridge.

Was this money a repayment for the advance made to the Government for the erection of the New Government buildings?—It was so considered by the Government but not by the Hudson Bay Company.

By Mr. De Cosmos.

What is the value of the three unsold lots?—I should judge about $6000 per lot.

Do you know of any other property in that neighbourhood in dispute between the Hudson Bay Company and the Government at present?—There is a lot of 50 feet frontage on the water claimed by Government, at the foot of Fort Street; the Hudson Bay Company declare the lot to be at the foot of Broughton Street.

What is the value of that lot at the foot of Fort Street?—I should think about $15,000.

What is the value of the lot at the foot of Broughton Street?—About $10,000.

How long have the Government claimed the lot at the foot of Fort Street?—I think from about the early part of 1861, when the Hudson Bay Company advertised certain lots for sale. The Government claimed 200 feet frontage; the claim was rejected by the Hudson Bay Company and the matter was submitted to Her Majesty's Government, and in the Deed of Settlement, a lot at the foot of Fort Street was so settled as to revert to the Government with 50 feet frontage.

By Mr. Duncan.

Whether to your personal knowledge, the land in dispute at the foot of Fort Street was not acknowledged and used as a public landing in years 1857, 1858, 1859 and 1860?—I have seen boats and persons landing there, and have never heard of the exercise of any private rights. Mr. Young withdrew.

Mr. Ridge moved that the Crown Lands Committee do sit from day to day, except Saturdays, from the hours of 11 A. M. to 1 P. M.

Seconded by Mr. Duncan, and carried.

Mr. Duncan moved that a short-hand writer be employed to take the minutes of the Committee.

Seconded by Mr. Ridge, and carried.

The Committee then adjourned to to-morrow at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, November 12th, 1863.—Absent, Col. Foster, Mr. Burnaby. Present, Dr. Trimble, (in the chair), Messrs. De Cosmos, Duncan, Ridge, Dr. Tolmie.

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Mr. W. A. G. Young was called.

By the Chairman.

Do you know of any other property in dispute between the Government and individuals within the limits of the town?—The rear portion of the Government Reserve across James Bay.

By Mr. Ridge.

What is the extent thereof?—About 2½ acres, as near as I can judge.

By the Chairman.

How many acres did the original Reserve consist of?—Marked 10 acres on the map.

Is there any other disputed property within the limits of the town?—At present I believe not, so far as the Crown is concerned.

Is there any property within the District of Victoria under dispute?—I do not remember any.

Any in Esquimalt District?—I don't think so.

Or any other part of Vancouver Island?—I think not.

By Mr. Ridge.

What is the value of the 2½ acres behind the Government buildings, James Bay, in dispute between Government and the Hudson Bay Company?—I should think 6,000 or 7,000 dollars.

By the Chairman.

How long do the Government claim having had this Reserve of 10 acres in their possession?—I believe it was surveyed and marked with posts in 1858.

Who was the Surveyor?—I do not know the individual, but I believe the work was performed under the supervision of the Surveyor General of the Colony.

Was there any objection raised by the Hudson Bay Company, or any other individual at the time of survey?—I have never heard that there was.

When were the 2½ acres taken off the 10 acres of land, and by whose authority?—I do not exactly remember the date, but I think about the autumn of 1861, when Mr. Leopold Lowenberg proceeded to fence a portion of the land, and he himself informed me that it had been sold to him by Mr. Dallas, and he further informed me that Mr. Dallas had guaranteed a good title.

Did the Government remonstrate against the occupation of the 2½ acres at the time?—They did, and shortly after fenced two sides of the Reserve, since which I am not aware of any attempts by individuals to re-obtain possession.

Do you still consider it in possession of the Crown?—I do.

By Mr. De Cosmos.

What is the area in acres of the whole Reserve on James Bay?—Ten acres more or less.

Are you not aware that that Reserve measures more than ten acres?—I am not.

Have you never heard it stated by the Surveyor General or those in his office, that it does measure more than ten acres?—On the contrary, the Surveyor General has informed me that it measures ten acres as nearly as possible.

Are the 2½ acres in dispute included in these 10 acres?—Certainly.

By Dr. Tolmie.

Had this same Reserve of 10 acres not another shape prior to its measurement in 1858, previously alluded to?—I am not aware.

Did it when measured off in 1858 include part of the field, fenced and ditched at its rear?—I am not aware.

By the Chairman.

Was there a fence there when the survey was made in 1858?—I really cannot say.

Did the Home Government dispute the claim of the Hudson Bay Company to the whole town-site of Victoria?—The Duke of Newcastle informed the Hudson Bay Company that Her Majesty's Government did not recognise any private claims of ownership antecedent to the charter of grant of 1849.

Was there any other land disputed, as a whole, at the time alluded to in the former question?—I am not aware of any land being in dispute, except the 3,000 and odd acres.

Did the Home Government deny the claim of the Hudson Bay Company to Uplands Farm, and North Dairy Farm?—I believe so far they form a portion of the land before referred to, as I have always understood.

Will you state what land is included in the 3,000 and odd acres?—I do not know the boundaries, but my impression is, the lands around Victoria, together with Uplands, North Dairy, and Beckley Farm

Does the North Dairy Farm now belong to the Crown or the Hudson Bay Company?—By Deed of Settlement of 3d of February, 1862, the Crown resigns its claim to it, in favor of the Hudson Bay Company.

Proposed, seconded, and carried that the Committee do adjourn to to-morrow at 11 o'clock, A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, 13th Nov., 1863.—Present, Dr. Trimble, (in the chair), Col. Foster, Messrs. Duncan, De Cosmos. There being no quorum, the Chairman adjourned the Committee to Monday next at 11 o'clock, A. M., November 16.

COMMITTEE ROOM, Nov. 16, 1863.—Present, Dr. Trimble, (in the chair), Messrs. Ridge, De Cosmos, Duncan, Dr. Tolmie. Mr. W. A. G. Young, the Colonial Secretary, was called and examined.

By the Chairman.

Will you be good enough to state what lands are to be handed over to the Colonial Government, under the decision of the Arbitrators between the Crown and the Hudson Bay Company?—Beacon Hill Park, containing about 165 acres; School Reserve, 10 acres; the Church Reserve, Parsonage, and Cemetery, containing about 25 acres, a portion of Beckley Farm, with various unsold town lots

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on the south side of Victoria harbour, containing in the whole, I believe, some 60 acres, and also the Post-office lots in Government Street, the Harbour Master's lot, and a portion of the Government Reserve. There is also, I believe, a further consideration named in the Indenture of the Agreement, the Public Spring, but of the area of the ground I am not aware.

By Mr. De Cosmos.

Is Beacon Hill Park, as proposed to be handed over to the Crown, of the same area as that originally reserved?—I believe not.

What is the difference?—I cannot say in extent, but can point it out on the map.

Is it smaller than the Original Reserve?—I believe it is.

By whose order has the size of the Park been reduced?—I do not know.

Can you state to the Committee who has possession of a portion of the original Park Reserve?—There is a portion of land recently fenced in on Beacon Hill, which I have heard belongs to Mr. Dallas. There is a further portion not fenced in, which, I believe, was sold to Col. Moody, R. E. There is still a further portion fenced in upon which the house of Mr. Munro stands. Another portion, also fenced in, which I understand belongs to Mr. John Morris, and I believe a few feet of Governor Douglas' fence take in a portion of the Park as originally laid down.

Are you aware of what the area of the Park, as originally laid down, was?—I am not.

Is the School Reserve of its original size?—I believe it is.

In whom is the Title to Church Reserve, Parsonage and Cemetery vested?—In the Hudson Bay Company.

Have the Hudson Bay Company made over the lands as settled by the Arbitrators?—Not to my knowledge.

By Dr. Tolmie.

Have they expressed readiness to do so?—They have, but not exactly the lands the local Government consider should be conveyed under that Indenture, hence the delay.

Has the local Government consented to the transfer of the Church Reserve, Parsonage and Public Cemetery to any religious body?—I am not aware.

Has the local Government recommended such transfer to the Home Government?—I cannot say that it has.

By the Chairman.

Is there any correspondence between the local and Home Government at all on the subject?—Yes.

Does that correspondence on the part of the local Government contain any suggestion recommending the transfer of that land to any particular religious body?—So far as I remember, the suggestions are confined to the manner of transfer, and not to the transfer itself.

Will you state, in brief, what that manner is?—The Trustees and the charges to be imposed upon the Trust.

To what religious body is it purposed to give that Church Reserve, Parsonage, and Cemetery?—To the Church of England for the benefit of the Church situated thereon. The Cemetery to be transferred to the Crown to be vested in Trustees for the benefit of different religious denominations as circumstances may hereafter require.

Did the local Government make any conditions, prohibiting the Trustees from allowing the Reserve to be built upon, sold, or let for secular uses?—None whatever that I am aware of.

Has the Hudson Bay Company transferred the titles of the Reserves to the Trustees?—Not that I am aware of.

Is it expected that each title will be made soon?—I am not able to say, the matter resting between the Imperial Government and the Hudson Bay Company.

Can you not give an approximate date, at which the transfer is likely to be made?—I cannot.

Why is this Church Reserve and Parsonage to be granted specially to the Church of England, to the exclusion of other denominations?—I believe it was the purpose for which it was always intended.

Who intended it?—The Hudson Bay Company.

Not the local Government?—I do not know, I was not an officer of the local Government when the Reserve was made.

Are there any documents in the Public Archives, showing by whom, and at what date the Church Reserve and Parsonage were set apart specially for the use of the Church of England?—I believe so.

In what Department are those documents?—They are with the Governor, in my custody as Colonial Secretary.

How many documents are there?—I do not now remember.

By whom are they signed?—I cannot carry in my mind.

Is Governor Douglas' name attached to any of them?—I believe so.

What date is attached?—I cannot say.

Was it since 1858?—I think so.

Was it since 1859?—I believe it is.

Is the date attached to such document or documents subsequently to 1860?—I don't know.

Can you not form an approximate idea as to the date on those documents?—The documents to which I allude, that is to say, the despatches on the subject, and I am not aware of any other document, I believe embrace a period between 1859 and 1863.

By Mr. Ridge.

Is the question of the appropriation of these Church Reserves still an open one?—I believe not.

When was it finally settled?—I think some two years ago.

Why should there be any correspondence up to 1863, if it has been settled two years ago?—The charges on the Trust were not finally settled.

Did the local Government object to Bishop Hills putting up a residence on the Church Reserve?—I don't recollect that the consent of the local Government was ever asked.

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In dealing with grants of land in the Colony, has it been the habit of the Colonial Government to correspond with the Home Government to suggest or consent to any grants of land, without consulting the Legislative Assembly? –I am not aware of any particular case.

How many lots of 60 by 120 feet are there in an acre?—I have heard five.

How many lots would there be in the Church Reserve, and Parsonage?—About 100 more or less.

What would be the average value of each lot in the Church Reserve and Parsonage?—I should think $500.

At that rate what would be the total valve of Church Reserve and Parsonage?—$50,000.

The Messenger having been questioned by the Chairman, whether he had served certain summonses, delivered to him by the Chairman, replied that he had served a summons on Mr. Gastineau, and that gentleman having failed to attend the Committee, agreeably to said summons, it is resolved by the Committee:

That the Chairman report the same to the House.

Resolved—That the circumstance of Mr. McTavish's intention to leave the Colony, be also reported to the House, and that the Chairman be requested to ask Mr. Speaker to procure the attendance of Mr. McTavish at a special Committee to be held at 10 o'clock, A. M. to-morrow, for the purpose of taking his examination.

The Committee then adjourned till to-morrow at 10 o'clock, A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, Nov. 17, 1863.—Present, Messrs. De Cosmos, Duncan, Dr. Tolmie. No quorum. Mr. McTavish appeared by request.

COMMITTEE ROOM, Nov 18, 1863.—Present, Dr. Trimble, (in the chair), Messrs. De Cosmos, Ridge, Duncan, Dr. Tolmie. The minutes of last meeting having been read and confirmed, Mr. W. A. G. Young, Colonial Secretary was called and further examined

By the Chairman.

Did the Governor object to Bishop Hills building a residence on the Church Reserve?

I do not remember any objection being made at the time.

Question by Mr. Duncan.

Do you know by whose authority the House, used as Harbour Master's office, and Post Office in 1857, and part of 1858, at the foot of Fort Street, has been moved?—I do not.

Who held the offices of Harbour Master and Post Master in 1857?—I believe the late Captain Sangster.

Was his office at the foot of Fort Street?—The office in which I once saw him performing his duties as Post Master was situated inside the stockade of the Hudson Bay Company's Fort, on the west side at the end nearest to the harbour, near to what is now the foot of Fort Street.

What interpretation do you put upon the Duke of Newcastles' despatch of 15th April, 1861, when he says that the local Government will be consulted before deciding on the final arrangements to be made with the Company in regard to the disposal of the ground, in the vicinity of Victoria?—That no final arrangement would be made with the Company until the draft of those arrangements had been submitted to the local Government.

By Dr. Tolmie.

What do you consider the meaning of the local Goverment as used in that despatch?—The Governor.

By Mr. Duncan,

Do the Imperial Government request of the local Government certain further information regarding lands in dispute, maps, &c., before the final completion of the Indenture of Agreement, dated 3d February, 1862?—The only further information they ask for is, for a general plan of the Island, shewing all the portions that have been alienated by the Hudson Bay Company, and the portions that will revert to the Crown.

Has His Excellency Governor Douglas furnished the necessary information and given his consent to the execution of the deeds to complete the Agreement of the Arbitrators?—Not yet.

By Mr. Duncan.

Do you consider the Duke of Newcastle to have broken faith with the local Government in agreeing to the arbitration before submitting it for their approval?—I do not consider myself at liberty to express any opinion, either commendatory or otherwise, on the proceedings of the Duke of Newcastle in this matter.

By Mr. Ridge.

Will you state whether you consider the words of the Duke of Newcastle's despatch, No 84, dated 8th May, 1862, viz.:—"All questions regarding the land have been set at rest by the Agreement concluded with the Company, a copy of which was communicated to you in my despatch No. 84, of 24th January last" as a decided settlement of the question that had been in dispute?—I do of the general question of title; the delay in the final settlement is, as I have before explained, on account of a difference between the Governor of the Colony and the Hudson Bay Company as to the amount of land which should be conveyed under that Indenture.

Do you consider the final settlement of whatever matters remain in dispute, between the Government and Hudson Bay Company, are alone capable of final settlement between those two parties?—I do not. I consider the matter is one entirely between the Imperial Government and Hudson Bay Company, and the only power the Governor has in it, is to advise Her Majesty's Government of local circumstances affecting the case.

Do you consider any action or representation, after due inquiry, made by the House of Assembly or by a Committee appointed by that House, could bear upon the settlement of the subjects still in dispute, if represented to the Imperial Government?—I consider the Duke of Newcastle would treat

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with respect any representation made to him by the Legislature of this Colony, but at the same time I would observe, that in proposing to place the Crown Lands under the control of the Legislature, the Duke of Newcastle in a despatch, which has been laid before the Legislature, reserves, as far as I remember, an arbitrary right of dealing with questions concerning lands with the Hudson Bay Company.

Do you consider that this Committee has any power to disturb the settlement referred to in the despatch of the Duke of Newcastle, dated 8th May, or to facilitate, or to take any action in the settlement of the matters still in dispute between the Crown and Hudson Bay Company?—I should think that would depend on the nature of the evidence that they might be able to lay before Her Majesty's Government.

By Mr. Duncan.

Do you consider that any act of fraud discovered by this Committee would invalidate the whole agreement?—I most assuredly believe that it would.

By Mr. De Cosmos.

Are the sections and lots of land, named in section 3 of the letter addressed by Dugald McTavish to yourself, the whole of the land in Beckley Farm reverting to the Crown under the Indenture of Arbitration?—I believe so.

How many acres are there in the section of land referred to in the previous question?—About 48¼ acres.

What is the value of that land per acre?—On an average, I should think $150 per acre.

What would be the total value of the 48¼ acres at that rate?—About $7,275.

How many lots are there in Beckley Farm, reverting to the Crown?—I believe 78 lots.

What is the value of each, and the total value of the whole?—I should judge each of those lots to be worth $150, say $11,700 for the whole

Are those sections and lots in possession of the Crown or Hudson Bay Company at present?—In that of the Hudson Bay Company: they have not been conveyed to the Crown.

Are there any other claimants at present to those sections and lots, or any portion of them?—A document came under my notice a short time since, demanding from the Surveyor General, a certificate of improvement, under the Pre-emption Proclamation, the applicant stating that he had taken up the land, and had placed improvements on it under that Proclamation.

Who was the applicant?—To the best of my recollection the application was signed James Trimble.

Do you know any other person who has pre-empted, or who claims a portion of it?—I have no knowledge of any other.

What answer was given to the applicant for a certificate of improvement?—That the Surveyor General had no power to issue a certificate of improvement, in as much as the power with which he was invested under the Pre-emption Proclamation, did not apply to the land as described.

Do you think that among the lands, the Crown proposes to convey to the Legislature of this Colony, it will be able to convey the land involved in the application for the said certificate of improvement? None of said land has yet been conveyed to the Crown, consequently the Hudson Bay Company, in the fulfilment of their agreement, will have to place the Crown in possession of that land, and I presume the Crown, from the tenor of the Duke of Newcastle's despatches, will hand it over to the Legislature of the Colony.

Are you aware, Mr. Young, whether any attempts have been made to sell land that ought to revert to the Crown under the Indenture of Arbitration?—I myself mentioned to Governor Douglas that I saw surveyors employed in placing boundary posts on portions of Beckley Farm, subsequent to March 1862. I am not aware of any attempts at sale.

Has any other person brought to the notice of Government any such attempts?—The Attorney General, in a letter dated 24th March 1863, expresses a suspicion to that effect. I am not aware of any other person.

In respect to what land?—Land to the South of James Bay, either forming Beckley Farm or in the immediate neighbourhood of Beckley Farm.

By the Chairman.

How long is it since you built your residence on this side of James Bay?—February 1860.

Did you observe the landmarks in the neighbourhood of your intended residence at that time?—Not any particularly, excepting my own.

Could there have been any landmarks without your knowledge?—Certainly.

The Committee then adjourned.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, Nov. 19, 1863.—Present, Dr. Trimble, (in the chair), Messrs. De Cosmos, Ridge, Dr. Tolmie. Absent, Col. Foster, Mr. Duncan, Mr. Burnaby, (on leave). No quorum.

COMMITTEE ROOM, Nov 20, 1863.—Absent, Col. Foster, Mr. Burnaby, (on leave). Present, Dr. Trimble, (in the chair), Messrs. Duncan, De Cosmos, Ridge, Dr. Tolmie. The minutes of last meeting having been read and confirmed, Mr. Herman Tiedeman was called and examined:

By the Chairman.

How long have you resided on Vancouver Island?—Since 1853.

What is your profession?—Civil Engineer and Surveyor.

Have you been employed in the Land and Survey office of Vancouver Island?—Yes.

At what day did you first go to the Land and Survey Works Department?—In June 1858.

How long did you remain in that department?—Till March 1861.

How were you employed in the Land and Works office?—In making maps and sometimes surveys.

Did you copy any maps?—Yes.

Do you recollect the dates of those maps?—No.

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Was more than one person employed on the same maps?—No.

Were these maps of the town and districts?—My first engagement was to make the town map of Victoria.

Was that in 1858?—Yes.

Did you make that map by order of Mr. Surveyor General Pemberton?—Yes.

Is that map still in existence?—Yes.

Has any alteration been made in that map, since you made it?—Not any material one.

What do you mean by a material one?—I mean that if I found a line incorrect, I made it correct.

By Mr. Duncan.

Is the general map of the town exactly the same as that you made?—I cannot say.

Were there any suggestions made by any parties to make alterations in the map, when you were at the Land Office?—No.

What map did you make your map from?—From the original survey of Mr. Pearse, and partly from my own surveys.

Did you ever see Mr. Pemberton's map dated 1851?—I can't say.

Did you ever see any original maps of the town prior to the one you made in 1858?—Yes, but not a finished one.

How many?—Two.

What were the respective dates of those maps?—I cannot say.

When you saw these two maps, did it strike you as extraordinary, that they should differ?—No, one is on a larger scale than the other

You say that no alterations were made in the maps to your knowledge?—None but my own alterations to correct lines.

Did Mr. Dallas ever induce you to make any alterations in the map of the city?—No.

Did any other person try to induce you to make alterations in the map?—No, if any alterations were made, Mr. Pemberton caused them to be made.

Were these suggestions of Mr. Pemberton's material?—No.

Can you give us the boundaries of that map made by you in 1858?—It commenced in James Bay, at the junction of Government Street and Humboldt Street, from thence following Wharf Street and Store Street, down to Rock Bay, from thence following Mr. Finlayson's property, Cook Street down to Humboldt Street, including the Park partly, and following the line of Governor Douglas' property on James Bay round to the Government Reserve, the present Kingston Street, then up Montreal Street to the sea above Ogden Point, between it and Holland Point.

Did that include the Government Reserve?—Yes.

How many acres were there in the Government Reserve?—Ten acres.

Who laid out the ten acres?—I laid them out.

By whose authority?—By the Surveyor General's.

At what date?—I think in the fall of 1858.

Were you then acting for the Hudson Bay Company by Mr. Pemberton's direction.

At that time we did consider the Hudson Bay Company as the Government.

What was the Surveyor General's opinion on that matter?—I cannot say.

Did the Hudson Bay Company make any objections as to the laying out of that Reserve?—Only Mr. Dallas came, and said, that I took away some land of his farm; I showed him the corner posts, when he said he would see about it.

What corner post was that?—The south-west corner post in the field.

What land adjoined the land, known as the Reserve, to the South?—Beckley Farm.

Was Governor Douglas' land fenced in?—Yes.

Was Beckley Farm fenced?—Yes.

Do you remember whether there was a ditch along the Beckley Farm fence?—Yes, there was.

Was there not a road leading along the water from Governor Douglas' property to Captain Mouatt's house?—A trail existed.

Did vehicles pass along that trail?—No, they could not.

Why?—Because the Governor's fence was close to the water's edge.

Was there a road passable for vehicles along the water front of the Reserve, from Governor Douglas' fence to Captain Mouatt's house?—Yes.

Was there not a house on the Reserve?—Yes.

Do you remember having seen vehicles pass from the corner of Governor Douglas' fence to Captain Mouatt's house?—No.

How could vehicles have got there, to pass from the corner of Governor Douglas' fence to Captain Mouatt's house?—They could not pass in front, they must have come from the farm, I think.

Had you to pull down any portion of the Governor's fence to get a passage?—I had, I took down enough to make the present road.

By the Chairman.

In what year?—In 1859.

Was the fence on the south side of the Governor's property in a line with the fence of Beckley Farm, above mentioned?—I cannot say.

Was it nearly so?—May be.

When was the Governor's fence extended to the south?—I don't know.

What property bounded the Reserve to the west?—According to the original line, it must cut off some of the corner lots of blocks 39 and 38.

Where did you see the map of the original Reserve?—In the Land Office.

What was the extent of the original Reserve?—It is put down ten acres on the map which existed in the Land Office.

In laying out the ten acres in the Beckley Farm map, why did you deviate from the lines of the original map?—Because the Company had sold the lots on the west side of the Reserve.

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By Dr. Tolmie.

By whose authority did you make the deviation?--By that of Surveyor General Pemberton.

What reason did he give for making the change?—When I pointed out to him that the Reserve was short of the original quantity, then he ordered me to give the Government Reserve the proper quantity.

Did you find marks of any kind on the ground, such as surveyor's posts, or stakes, showing that ten acres had previously been laid off as a Reserve?—I did not find any on the west side, as the lots were laid out. At the south-east corner of Government Reserve, I found one post dividing the Reserve from Governor Douglas' property.

Can you point out on this map where the post stood, and describe it besides?—I cannot point it out on this map, because that piece marked Z has been surveyed by Mr. Green.

Was there a road running from the Park, along the south side of Governor Douglas' property, and along the south side of what is now claimed by the Government as the James Bay Reserve?—I observed only a road from the Park, behind Governor Douglas' property, but don't know how far it went.

Are you aware whether any fence belonging to Beckley Farm, intersected the road last alluded to?—I cannot say.

Was there any fence between the road extending behind the Governor's property, and what is now Menzies Street?--There was a fence.

Where did that fence come from as on the map?—I cannot tell.

Where did that fence come from, which you say intersected the road, running south of the Governor's property towards Menzies Street, on the map?—I don't remember.

By Mr. De Cosmos.

Are you aware what the area of James Bay Reserve is, as claimed by the Government at present?—Exactly ten acres.

Did I understand you to say that the section of the James Bay Reserve marked Z was added to, in order to make good parts of the original Reserve sold by the Company as town lots, as specified in blocks 38 and 39?—Yes.

By Dr. Tolmie.

Who had the selling of the lands at the time the Reserve was altered?—The Land Office.

In what year?--In 1858.

Did you receive your pay from the Hudson Bay Company at that time?—Yes.

Was Surveyor Ge neral Pemberton in the employ of the Hudson Bay Company at that time?—Yes.

Have you a good knowledge of the piece of land marked Z on the map?—Yes.

Can you point out where the line of Beckley Farm ditch and fence would appear on that portion of land, whether on the north or south side?--It would be north line.

By the Chairman.

When you laid out the Government Reserve of ten acres, did it include part of the water in James Bay?--No.

By Mr. De Cosmos.

What is the area in the present Reserve, excluding section marked Z?--It would not be ten acres.

Are you aware of the number of feet that the original front of the Reserve on the water extended west beyond the east boundary of Menzies Street?--I don't remember.

Can you find surveyor's notes showing the number of feet?--I will look for them.

The Committee then adjourned to Monday next, at 11 A. M.,

Mr. Tiedeman was directed to be in attendance on the Committee at that hour.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, Monday Nov. 23, 1863.---The Committee did not meet to-day, owing to the arrival of the mail.

COMMITTEE ROOM, Nov. 24, 1863.---The Committee met this day, at 11 A. M.---Present, Dr. Trimble, (in the chair). Messrs. De Cosmos, Duncan, Dr. Tolmie, Col. Foster. The minutes of the last meeting having been read and confirmed, the examination of Mr. Tiedeman was continued:

By Mr. Duncan.

In what year was the Surveyor's office built?---In 1859.

Who had the contract for building it?---If I remmember right, the contractor's name was Charles Frolick.

How did Mr. Frolick bring the materials for building the office?---In front of the Governor's fence after one part had been removed.

Was there a hedge fence where the removal took place?---No.

Was it to the east or west end of the Governor's fence, that the removal took place?---It was at the north-west corner.

By Dr. Tolmie.

Will you show on this map what you surveyed in 1858?---Mr. Tiedeman pointed out the Government Reserve on James Bay on the map of 1858.

Did you ever see this map of 1855?---[Map shown].---This seems to be a tracing of the map of 1858.

Is that the original form of the original Government Reserve?---Yes.

Was it then called an Indian Reserve?—Yes.

Has the Hudson Bay Company sold part of that Reserve, and if so, what portion?---Yes, part of the north-west side of the Reserve.

How many lots, to the best of your knowledge?---I suppose two lots fronting the water.

Does the map of 1858 differ materially from the map of 1855, now before you, as regards the portion of the town adjoining the James Bay Indian Reserve?---Yes.

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Are these streets of the map of 1858, at the said portion of the town, which were not on the map of 1855?--Yes.

Was Mr J. D. Pembenton Surveyor General In 1858?—No, only Colonial Surveyor.

At what time in 1858, did he beome Colonial Surveyor?-I cannot tell.

How did you know he was Colonial Surveyor?—Because he signed himself so.

What title did he get before 1858?—I cannot tell.

When did he get the title of Surveyor General?—To the best of my belief in 1860 or 1861.

By Dr. Tolmie.

Were all surveys in 1858 made by direction of Mr. Pemberton?—Yes.

Did Mr. Pemberton receive his orders from the Governor?—I think so.

By Mr. Duncan.

Did the office receive instructions from the Hudson Bay Company?—I don't know.

Did you ever hear?—No.

Did you ever see Mr. Dallas alter the maps in the office?—Not to my recollection, himself.

Did you ever see Mr. Dallas instructing, or hear of his instructing Mr, Pemberton to alter the maps?—No.

Did you ever tell any one that Mr. Dallas came into the office and altered the maps?—Not that I recollect.

By Dr. Tolmie.

Were these alleged encroachments on the so called Indian Reserve in 1858 made by Mr. J. D. Pemberton's direction?—I think so.

Do you know who actually surveyed those lots?—I think Mr. Finlay, he was engaged at that time in the office.

Were there any posts or stakes in 1855 to designate the west boundary of the Reserve?—As I said before, I did not find any on the west side.

Were there bushes and willows growing on the Reserve, on the land immediately to the westward?—Yes.

Is it not possible, therefore, that these lots might have been laid off by mistake?—They might.

By the Chairman.

Was there a road between Governor Douglas' fence and James Bay running towards Captain Mouatt's?—No, there was a trail all along the Governor's fence of about ten feet, and at the north-west corner it was nearly impossible for a man so pass.

By Mr. Duncan.

You see this map of 1858; is there a wide and capacious road laid out to Laurel Point?—Yes.

By whose authority was that wide and capacious road done away, to the best of your knowledge?—I think by Mr. Dallas'.

Did you ever hear of Mr. Dallas selling this road in lots to the adjoining property holders, and if so, name to whom he sold them?—I know he sold some, one to Mr. Leigh, and also to Captain Mouatt, but that is all I know of.

What was the price of these lots?—I can't tell.

Did you ever hear of these lots being sold at $50 each?—No.

When were they sold?—In 1860 and 1861.

By the Chairman.

How many lots did Mr. Dallas sell to Captain Mouatt?—I can't tell.

By Mr. Duncan.

Is the bottom of Johnson Street on this map, the same as when you surveyed in 1858?—No, because the survey was not finished.

When was the survey finished to the bottom of Johnson Street?—I think early in 1859.

Is this line running in a straight line to the water from Wharf Street, in a westerly direction along Johnson Street, the termination of the survey?—It was the termination of one of the lots of S. Price & Co.

Is that same line the north boundary line of Johnson Street?—No.

Where was it?—It runs from the north-east point of Wharf Street down to the south side of the bridge.

How many feet of water frontage belonged to Johnson Street in 1858?—I suppose not more than the width of the bridge,

How wide was the bridge?—I think 18 feet.

By whose order was the survey of Johnson Street made?—All the surveys and alterations were made by order of the Colonial Surveyor.

Did I understand you to say there was no survey of Johnson Street from Store Street to the harbour in 1858?—No survey.

Will you tell us how it appears on the office maps of 1858 that the lines run from Government Street through to the harbour in 1858?—I don't think the lines were ever completed.

In 1858, when you went into the Land office, was there not a Reserve marked on the map, "Public Garden," whose south boundary was the north line of Johnson Street from Government Street to the harbour?—It was in a map of proposed improvements, and even there the gardens did not extend to the water front, and furthermore I don't conceive that that is an official map.

Was the map of proposed Improvements entitled a map to accompany a report to the Hudson Bay Company, dated 20th January, 1852, and signed by J. D. Pemberton, then in the employment of the Hudson Bay Company?—I don't know.

By Mr. De Cosmos.

Are you aware whether parties purchasing lots were shown the map denominated by you, the map of proposed Improvements?—I don't remember.

How near to the harbour did the "Public Gardens" extend?—I can't tell.

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Can you not give an approximate distance of the Public Gardens from the water?—The Gardens must extend to Store Street.

Why do you say Store Street?—Because I see the division line is more or less in the present position of Store Street.

In the block, marked Public Gardens, was there any street in 1858, in the vicinity of what is now Store Street?—No.

When was Store Street opened through the Public Garden block?—I can't tell, Mr. Pearse surveyed that part of the town.

To whom does the land belong from the south side of the east end of the bridge to the line of what was Price's property in 1858?—I understand to S. Price & Co.

Do you know when they purchased that land?—No

Do you recollect in 1858. a street calle l View Street?—Yes.

Did view Street start from Government Street, and run down to the harbor?—No. it started from Broadway to Cook Street.

Was there not a street from Government Street to the water, at the north side of the Hudson Bay Company's Fort?—I don't think there was.

Was there not a street in that place marked on the map shown at the Land office in 1858?—Not that I remember.

Are you aware whether Cormorant Street ran to the water in 1858?—I don't remember.

By Mr. Duncan,

Do you remember a Public Cemetery in Johnson Street?—Yes.

Of what extent was the Cemetery?—I cannot say.

By whose authority was it done away?—I think by that of the Government.

Does that property belong to the City now?—Partly, Johnson Street passes through it.

By Dr. Tolmie.

Do you remember in 1858, which was first done, the surveying of lots on the ten acres called the Reserve on James Bay, or the laying out of said Reserve?—The lots were previously surveyed.

By the Chairman.

You stated before, that lots on the original Government Reserve might have been sold by mistake. Do you believe it was possible, that these lots could have been sold by mistake, as the lands were measured and sold by Mr. Pemberton's orders?—Yes, because there did not exist at the time a finished map of the town.

Were the ten acres laid out on the map?—They were laid out on an unfinished sketch.

Were the lines given?—Yes.

By Col. Foster.

Are you not aware that Mr. J. D. Pemberton, acted in the interest. and on behalf of the Hudson Bay Company, in making the survey on James Bay limits of the Reserve existing there, and in selling the same in the Land Office of the Colony?—I believe so.

Are you not aware that lots were surveyed off from the west side of James Bay Reserve by Mr. J. D. Pemberton, which encroached on the limits of said Reserve?—I stated before that by plotting the different surveys. I found that mistake, that the lots encroached on the Reserve, and that said lots were surveyed off by Mr. Finlay, by Mr. Pemberton's order.

Did you not survey off lots on the south side of the street, called St. James, or Superior Street, on which Mr. W. A. G. Young's house is built?—Yes.

Did not the James Bay Reserve extend at that time up to the opposite or north side of said street?—Yes.

Did you survey off any portions of that Reserve into a lot or lots of any description, at a later period?—No.

Are you aware of any one else having done so?—Yes, Mr. Green.

By whose order did Mr. Green do so?—I think by Mr. Dallas' order.

Will you please to state to the Committee, who was at the head of the Hudson Bay Company at that period?—Mr. Dallas.

Do you remember the date and month Mr. Green surveyed off the portions at the south end of James Bay Reserve?—I was not there.

Do you know the year?—It must have been 1861.

At the beginning, middle, or end of 1861?—I can't tell.

You recently said, in answer to a question, that Mr. Pemberton had acted in behalf of the Hudson Bay Company, in selling portions of the James Bay Reserve; who was that time at the head of the Hudson Bay Company's business?—I believe Governor Douglas.

By the Chairman.

What date do you allude to, at which Governor Douglas was at the head of the Hudson Bay Company?—1858.

The Committee here adjourned till to-morrow, at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, Nov. 25, 1863.—The Committee met this day at 11 A. M.—Present, Dr. Trimble, (in the chair), Messrs. De Cosmos, Duncan, Dr. Tolmie. The minutes of last meeting having been read and confirmed, the examination of Mr. Herman Tiedeman was continued:

By Mr. Duncan.

To the best of your recollection, what were the Public Reserves in the map that you made yours from in 1858, name them and their extent?—The Parsonage, Church Reserve, and Cemetery, the Indian Reserve on James Bay, and the Public landing on Wharf Street, between Yate's property

Was there no other Public Reserve?—No. not to my recollection.

What other Public Reserves were outside the town limits?—The School Reserve and Beacon Hill Park.

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Do you recollect the size of that School Reserve?—About ten acres.
Was there not a Public Reserve behind the School Reserve to the east?—None was mentioned to me.
Do you know of there having been a public Reserve there?—I think one was mentioned on one of the old maps.
To the best of your recollection what was the size of that Reserve?—I cannot tell.
In whose possession is that Public Reserve now?—I think in that of Mr. B. W. Pearse, Acting Surveyor General.
Did you survey that land for Mr. Pearse?—No.
When was it surveyed, after or before you went to the Land Office?—It must have been before.
Were you the first extra Surveyor employed in the Land office in 1858?—No.
Who else was employed?—Mr. Finlay.
When do you say Mr. Finlay was employed?—I think four weeks before I was.
Did you ever hear or know whether Mr Finlay surveyed this Public Reserve, now in possession of Mr. Pearse?—Mr. Finlay surveyed only James Bay.
Is it your impression that Mr. Pearse surveyed that property himself?—I suppose so.
Was it the custom at that time in surveying lands to allow for rock, and did you do so in all your surveys?—It was the custom to allow for rocks and swamps, as I recollect in 1858.
Do you know of another Reserve to the south of that Public Reserve.—No.
Did you ever hear of one?—Not that I recollect.
Were you ever told that that property of Mr. J. D. Pemberton was a public Reserve?—I think it was not a Public Reserve.
Did you ever tell any one that that property of Mr. Pemberton's was a Public Reserve?—I did not.
Do you know Gonzalo Point?—Yes.
Do you know that that was a public Reserve for a bakery?—No.
You have never seen that Point reserved on the public maps of the Colony?—No.
Did you survey the lands behind the Government buildings, James Bay, and into what sized lots did you divide them?—I did partly in 1858 and 1859, into 60 feet frontages: in blocks 60 and 61, I gave one chain frontage: in blocks 62, 63, 64, 60 feet frontage.
What blocks did you survey on the south of the harbor?—Blocks 60, 61, 62, 63, 64; then I surveyed blocks 40, 42, and 43.
By whose order did you survey these blocks?—The first mentioned five blocks by order of Mr. Dallas.
In what year?—In 1859, and the balance for the Land Office, previous to surveying the above five blocks, by order of J. D. Pemberton.
Where is your property situated?—In block 64.
Is that one of the blocks surveyed by order of Mr. Dallas.—Yes.
In what year did you purchase your property?—It was in 1860.
Is block 14 marked Hudson Bay Company [on plan] occupied?—No.
Are any of blocks 14, 17, 20, sold or occupied in subdivision map of Beckley Farm, dated January 1863?—I don't think so
Are blocks 62 and 63 sold?—Yes.
Do you know when they were sold, and to whom?—I think at the same time I bought mine, to Mr. Trounce, Mr. Gibbs and others.
Do you know of any lots being sold in block 62, or the surrounding blocks since January 1862?—I do not.
Have you heard of any?—No.
Did you ever tell any one that lots had been sold since 1861 and 1862?—No.
On the subdivision map of Beckley Farm, state where J. W. Mackay, and Mr. William Charles' property is situated?—Mr. Mackay's property is block 15 and 16 and Mr. Charles' is block 9.
What is the size of these blocks?—Five acres each.
Whose property is block 6, on the same map?—James Bissett,s.
What is its size?—About six acres
Whose property is block 2?—Mr. Dallas'.
What is its size?—About eleven acres.
Whose property is block 1?—Colonel Moody's.
What is its size?—About fifteen acres.
Whose is block 12?—I think the Rev. Mr. Cridge's.
What is its size?—About four acres.
Whose is block 13?—Mr. Huggin's.
Its size?—About three acres.
Whose is block 7?—James Bissets.
Its size?—About six acres.
Whose is block 9?—Mr. Charles'.
Its size?—Five acres.
Whose is block 11?—Mr. Medana's.
Whose are blocks 23 and 24?—Mr. Hardisty's.
What is the size of these lots?—From two and three quarters to three acres.
Whose property are blocks 25 and 26?—Mr. D. B. Ring's.
Of what size are these blocks?—About twenty acres together.
Whose is block 30?—Dr. Tuzo's.
What is its size?—About seven acres.
How much water frontage has it?—About one-fourth of a mile.
Would this be a prominent point in the defence of the entrance of the harbor, situated on Dr. Tuzo's property?—I think so.

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Do you think it absolutely necessary for the proper protection of the harbor, that the Governor should have reserved this point?—Yes.

Do you know when these blocks became the property of the various holders?—I cannot tell all of them.

Which are the blocks, of which you do know the dates on which they became the property of the owners?—James Bissett's between 1860 and 1861, also Mr. Ring's, about 1860; this I know because I was present.

By the Chairman.

What did he give for it?—I don't know.

Then how did you know it became his property?—Because Mr. Dallas pointed the situation of that land to Mr. Ring in my presence.

Did not Mr. Dallas point this property out to Mr. Ring as property he wanted to sell?—Yes, certainly.

And when to your knowledge did Mr. Ring become the purchaser?—I don't know.

And don't you know whether Mr. Ring became the purchaser at all?—I always thought Mr. Ring the purchaser.

Why did you think him the purchaser?—Because Mr. Ring spoke constantly of having purchased the property.

Was it since January 1862, that you heard Mr. Ring state that he was the purchaser of that land?—No, it was previous to that time.

Do you state positively that you never heard him say so since January 1, 1862?—No.

Nor to any one else?—I don't remember.

By Mr. De Cosmos.

Are you aware whether Mr. Dallas ever offered blocks 25 and 26, Beckley Farm, to any one else than Mr. Ring?—No.

By Mr. Duncan.

You state that blocks 23 and 24 belong to Mr. Hardisty, when did he purchase them?—I don't know.

When did Messrs. McKay and Charles purchase their properties?—I can't tell.

To the best of your knowledge were any of these properties sold after the 1st January, 1862?—I don't believe they were.

Did you ever hear that they were?—No.

By Dr. Tolmie.

You stated in evidence yesterday that Mr. Green surveyed the James Bay Reserve for Mr. Dallas. Do you know what number of acres Mr. Green represented this Reserve to contain by his survey?—Somewhat above twelve acres.

Did that include portion marked Z, in the plan dated January 7, 1863?—Yes.

The Committee here adjourned till to-morrow, at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, Nov. 26, 1863.—Present, Dr. Trimble, (in the chair) Messrs. De Cosmos, J. C. Ridge, Dr. Tolmie. 1st question propounded:

How many acres of land are sold in each surveyed district, naming the district?—Mr. Pearse, Acting Surveyor General, produced the following answers to the first of a series of questions submitted to him on the 4th of November instant, by the Committee.

NAMES OF DISTRICTS.	LANDS SOLD IN ACRES.
Victoria,	16,429
Esquimalt,	10,873
Metchosin,	5,427
Sooke,	3,789
Lake,	10,152
Sallas Island,	1,965
Comiaken,	275
Cowichan,	562
Cranberry,	80
Cedar,	913
Nanaimo,	6,293
Quamichan,	700
Shawnigan,	300
Somenos,	1.049
North Saanich,	6,991
South Saanich,	7,713
Mountain,	182
Highland,	500
Total,	74,196

2nd question:—How many acres pre-empted in each district, naming district?

[Districts marked S. D. are surveyed districts.]

LANDS PRE-EMPTED.	ACRES.
S. D. Victoria,	95
S. D. Esquimalt,	13,22
S. D. Metchosin,	2,692
S. D. Sooke,	2,895

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S. D. Lake,	2,240
S. D. Sallas Island,	1,483
S. D. Comiaken,	2,330
S. D. Cowichan,	10,871
S. D. Cranbery,	678
S. D. Cedar.	500
S. D. Nanaimo,	910
S. D. Quamichan,	5,100
S. D. Shawnigan,	7,713
S D. Somenos,	5,750
S. D. North Saanich,	3,210
S. D. South Saanich,	3,240
S. S. Mountain,	1.150
Highland,	750
Chemanos,	3,370
Salt Spring Island,	5,060
Barclay Sound,	4,720
Nootka Sound,	250
Fort Rupert,	I,410
Comox,	9.030
Small Islands,	2,960
San Juan,	150
Oyster Bay,	700
James Island,	930
Coskesno, (Fort Rupert)	7,000
Total,——	88,309.

How many acres unsold and unpre-empted in each Surveyed District?-

Victoria,	None.
Esquimalt,	929
Metchosin,	4,358
Sooke,	3,741
Lake,	1,797
Sallus Island,	none
Comiaken,	7,189
Cowichan,	7,987
Cranberry,	7,204
Cedar,	8,779
Nanaimo,	1,166
Quawichan,	12,800
Shawnigan,	12,354
Somenos,	11,450
North Saanich,	2.966
South Saanich,	3,221
Mountain,	6,323
Total acres,——	92,264.

How many Reserves in each Surveyed District, and what Reserves are for, and their extent?—

	No.—Acres.	No.—Reserve, and Object.
Victoria,	245	1 Hyde Park.
"	533	2 School, Craigflower.
	Various Islands and Rocks.	
Esquimalt District.	112	1 Songish Indian Reserve.
"	47	2 Esquimalt Indians.
"	350	3 Government Reserve, Thetis Lake.
"	2,466	4 Imperial Govt. hospital Reserve.
"	90	5 Albert Head.
Metchosin,	100	1 Govt. Reserve sch. 20 School purposes.
"	12	2 Wm. Head, Military.
	Various Small Islands and Rocks.	
Sooke,	111	1 Govt. Reserve, including Spit.
"	60	2 Government Reserve, Indian.
	Various Small Islands and Rocks.	
Lake District,	86	1 Sch 42, Government Reserve.
"	113	2 Part of school, Hyde Park, not Douglas.
South Saanich,	64,081	1 Range 4, 5, 6, E. S. 6, 7, 8. S. Indian Reserve.
"	30053	2 R. 1. 2. W. 7, 8, 9, S. O. I. R.
"	340	3 Mt. Newton, Govt. mining purposes

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North Saanich,	1,224	1 1 Govt. R. M. purposes.
"	315	2 1, 2. W. 45, N. Indian Reserve.
"	69	3 Indian Reserve.
Comiaken,	82	1 Government Reserve for Town,
"	3,000	2 Town, Maple Bay, mining purposes
Cowichan,	31,993	4 Indian Reserve.
Quamichan,	1,600	3 Indian Reserve.
Somenos,	200	1 Government Reserve.
Shawnigan,	162	1 Government Reserve.
"	1,413	2 Mill site, leased.
"	4314	3 Indian Reserve.
Nanaimo,	724	1 Public purposes.
"	250	2 Indian purposes.
"	100	3 Public roads.
	80 feet by 100 feet	4 Harbor Master's office.
Mountain District,	600	1 Government Reserve.
"	3,000	2 Coal mining purposes.
Cranberry District,	600	1 Government Reserve.
"	152	2 Indian Reserve.
Cedar District,	115	1 Government Reserve.,

By Mr. De Cosmos.

Is Beacon Hill Park a Public Reserve?—I have understood that it is since 1858. and contains, speaking from memory, 168 or 175 acres.

Are the so called Church Reserve and Parsonage Reserves, public reserves?—I believe they have been called so since 1858.

What is the average of those reserves?—Speaking from memory, the Church reserve is about 18 acres, the Parsonage 2 or 3 acres.

Is Victoria District School a Public Reserve?—It was laid out as one in 1858, and has been, I believe, so considered ever since.

How many acres are there in the School Reserve?—Ten acres exactly.

Are there any other reserves under the same conditions as the last mentioned?—The Government reserve, James Bay of ten acres, the public landing in front of Yates' old property of sixteen feet and eighteen feet at foot of Johnson Street, I speak from memory.

Were not Beacon Hill Park. Victoria District School reserve, Church, Parsonage, and Cemetery reserves, the reserve at Yates', on Wharf Street, the reserve at foot of Johnson Street, James Bay reserve, and the Post office, included in that section of land, known as the Fur Trade reserve, and so registered in the books of the Land office?—They were.

When did you become first connected with the Land office of this Colony?—On first of November 1851.

Who was then at the head of the Land office?—Joseph Despard Pemberton.

Was he at its head in 1858.—He was.

From whom did he then, and prevously receive his instruction?—From the Governor of the Hudson Bay Company, through the Governor of Vancouver Island, and also from the Governor of Vancouver Island alone.

Was Governor Douglas in 1858 at the head of the Hudson Bay Company?—He was.

Was Mr. Pemberton the Colonial Surveyor in 1851, and paid by the Hudson Bay Company?—He was paid by the Hudson Bay Company out of the sales of land.

Who appointed Mr. Pemberton Colonial Surveyor of Vancouver Island?—I believe Governor Colville.

Who was Governor Colville?—The Governor of the Hudson Bay Company.

By Mr. De Cosmos.

Did Mr. J. D Pemberton act as Colonial Surveyor under an Indenture between himself and the Hudson Bay Company?—I really can't say.

Was Mr. Pemberton's appointment by Governor Colville sanctioned by the Home Government? I believe it was.

When did Mr. Pemberton cease to be Colonial Surveyor to the Hudson Bay Company.—I believe early in 1859.

The Committee then adjourned until eleven to-morrow forenoon.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, Nov. 27, 1863.—Present, Dr. Trimble, (in the chair), Messrs. De Cosmos, Duncan, Ridge, Dr. Tolmie.

Mr. John Arnoup was sworn by the Chairman to a faithful performance of his duties as Clerk to the Committee.

Further examination of Mr. B. W. Pearse:

By the Chairman.

What is the extent of each district, naming district?—Victoria, 16,679 acres; Esquimalt, 12,426: acres; Metchosin, 11,897 acres; Sooke, 10,201 acres; Lake, 14048 acres; Sallus Island, 1965 acres; Comiaken district, 11072 acres; Cowichan, 11764 acres; Cranberry, 14,036 acres; Cedar, 9806 acres; Nanaimo, 8,533 acres; Quamichan, 16,000 acres; Shawnigan, 18741 acres; Somenos, 16,000; North Saanich, 10,767 acres; South Saanich, 12,216 acres; Mountain, 16,000 acres; the remaining districts being unreserved.

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What is the extent of lands pre-empted which are unsold, and where located?—

Years——	1861	1862	1863	Total
Highland District,	500	250	nil	750
Chemanos,	900	1000	1470	3370
Salt Spring Island,	2400	1200	1460	5060
Barclay Sound,	150	4420	150	4720
Nootka Sound,	150	nil	100	250
Fort Rupert,	nil	1310	100	1410
Comax District,	nil	7640	1390	9030
Small Islands and Dependencies,	1180	450	1330	2960
San Juan,	nil	150	nil	150
Oyster Bay,	nil	nil	700	700
James Island,	930	nil	nil	930
Quatseno,	nil	7000	nil	7000
Totals,	6210	23420	6700	36330

What is the area in acres and miles of land in the Colony not pre-empted, sold or reserved?—7,598,215 acres—11,872 square miles.

What is the chharacter and quantity of land unpre-empted and unsold in each district?—A very great proportion is rocky and unfit for cultivation.

By Mr. De Cosmos.

What is the character of the unpre-empted land in the Esquimalt District?—Of a very inferior quality, chiefly gravel and rocks, there are also large swamps, and some scrubby timber.

Is it supposed to contain minerals?—Part of it, I should say.

In Metchosin, what is the character of the land?—Chiefly timber land, no prairie; there might be some good land, a long way from the sea there is good Douglas and White Pine.

What is the character of the land in the Sooke District?—There is a very great deal of high land, among the mountains there is some good grazing land. There are several good farms there. It is about 20 miles from this place; its average height above the sea is 1,500 feet. On the Sooke River there is some fine land, but this is not in the Sooke District. The timber is principally Douglas Pine. It would have to be rafted down the river, which could easily be done at this season of the year. There is at least 2,000 acres in this part of the district, there are also other valleys running into it, extending nearly to Barclay Sound. As far as I could judge from the top of the hills, a great portion of the land described as unpre-empted is simply rock.

Are there any minerals?—We have every reason to believe there are copper veins running through the land; it is believed there is coal. In Lake District the land is chiefly of a worthless character, there are several swamps and the timber is inferior.

Are there any indications of coal?—Not that I am aware of. In Sallas Island the land is all sold. In Comiaken, the land shown in the table chiefly consists of open timber, scattered pine, a great deal of rock, possibly four-tenths is unavailable for agricultural purposes; it is supposed to be rich in copper, silver and gold.

Any coal?—I think not, I never heard of any being found there; there is good lumber timber, cedar and Douglas Pine; I think it is not suitable for spars, a great quantity of this timber is at an average distance from one to six miles from Maple Bay.

By Mr. Duncan.

Any swamps?—Two or three near the Lake.

North Saanich, describe the district?—There are nearly 3,000 acres of unsold land, and it is of a worthless character; it is supposed to contain some minerals; there is coal on the West Coast, the coal that I have seen is of the worst character. On the East, there is a small seam of better coal 18 inches thick. Mount Newton is supposed to contain minerals, chiefly copper. South Saanich—the same remarks apply to the north end of this district being part of Mount Newton. The remainder is of a worthless character, excepting that which has been taken up; Mount Newton is adapted for grazing purposes in the Spring and Summer only.

Mountain District—This district continues to the westward of Nanaimo, there is some very fine land in it; at the foot of Mount Benson, there is excellent timber adapted for spars. From Departure Bay it is distant 3 miles; the whole of the mountain is covered with timber, a great part of which is of the finest kind. There are some fine bottom lands of a peatty, loamy nature. There are cranberries in large quantities. Some of the high lands, near section 6. range 12 are open timber lands, south of this the land has been reserved for a Coal Company. It was reserved by Dr. Benson's application, it extends over 3,000 acres—Chase River runs through it. On Chase River the coal crops out near the Vancouver Island Coal Company. Geologists have given it as their opinion that coal extends in a south-westerly direction almost to Barclay Sound. There is some good land, but the soil is chiefly gravelly. There is good water power on Milloto River, and for a portion of the year on Chase River also.

Describe Cowichan—The land in this district is chiefly of two kinds, the land to the south is principally loamy clay, it has been subjected to the action of brush fires from year to year, and will require good tillage. There is a large quantity of open timber land, there are willows and alder. Some of the bottom land in the centre of the district, southward of the Indian Reserve is good, and contains willow, maple, alder, and berries. Its average distance from the sea is two miles. From Cowichan Point to the end of the District is supposed to be rich in copper. The land at the mouth of Cowichan River is liable to overflow at certain seasons. I think from 2,000 to 3,000 acres might

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be reclaimed by Dykes, but the expense would be very great. There are good mill sites on this river; one is particularly valuable on the Quamichan branch of the stream. Timber suitable for spars is scarce in this District.

Describe Cranberry District—A great deal of this district to the south-west was not considered worth surveying, when the price was 1£ per acre. There are large swamps. I think a great deal of land will yet be pre-empted here. There are willow, alder, and maple trees growing by the swamps, these could be drained, and the land would become of considerable value. It would be requisite to be done on a large scale, and not by private settlers. While washing dirt on the benches of Nanaimo River, with a drinking cup, about four or five miles up, I in every case found the color. The banks of the river are covered with the finest cedar I ever saw in my life, the average diameter was from 6 to 8 feet, and saw some 14 feet in diameter, they were corrugated like pillars. There are many good water sites. Within a short distance of the banks, it is subject to inundation. It could be made available for floating logs, with a small outlay, and for $3,000 all snags and fallen timber could be removed. The river is not navigable for vessels drawing 4 feet water, as there are many bars in the river, but a vessel drawing twelve feet could reach within 1¾ miles of the mouth. The lands for two miles on the west of the mouth of the river are sold to the Vancouver Island Coal Company, and those for a mile up on the east side have been pre-empted.

Cedar District—The south-east portion is mostly covered with timber more or less open; there are large lakes full of trout, and swamps with Cranberries growing near. Land was sold on the East Coast at the rate of £1 ber acre, the remaining land unsold is not so good, there are still however some good prairies varying from 10 to 40 acres. There is good logging timber near a mill site. In the Cedar District a large amount of stock might be grazed. There is good tillage land. There are indications of coal.

The Committee here adjourned until Monday next.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, Nov. 30, 1863.—Present, Dr. Trimble, Chairman, Mr. De Cosmos, M. Duncan, Dr. Tolmie, Mr. Ridge. The minutes of the last meeting having been read and confirmed in the presence of Mr. Pearse, and signed by the Chairman, the examination of Mr. W. Pearse was continued;

By Mr. De Cosmos.

Somenos District—What is the character and quality of the land unpre-empted and unsold in this District?—The greater part of the good land is all taken up, but there is still a large amount of good bottom land, possibly from two to five thousand acres, which would prove very rich, if drained. The land up the river that falls into Lake Somenos, contains some good bottom land, it is covered with alder, maple, willow, and wild fruits; it would require a great deal of drainage. There is a great incline to the lake; the remaining part is chiefly open timber, more or less scattered.

With regard to its mineral resources?—Mount Prevost is said by Dr. Hector to present strong geological features, and I am inclined to think that Dr. Hector is right.

What description of minerals?—Chiefly copper.

How far is this district from navigable water?—From Maple Bay, the nearest position, about five or six miles.

Any streams running up Maple Bay?—No, the rivers all appear to fall into lakes.

Does the Cowichan River drain the Somenos District?—There are several rivers that drain the district.

Is there much timber suitable for lumber?—I think not; there is some large fir timber, scattered; there is no rich bottom land.

Any streams in this district suitable for floating logs?—Yes, when the water is high; in the winter a great quantity of water comes down here.

Any indications of coal?—The Indians have from time to time reported coal, but I have never received any reliable reports.

Comiaken District—What is the character and quality of the land in this district?—Between Quamichan Lake and Maple Bay, it is of a very fine quality; there is some prairie, a good deal of which is taken up; the north-east portion of the district is a mass of rock. There have been strong copper veins discovered running in a south-west direction. Maple Bay is the only deep water there, and likely in time to become a large town site; there is good and well sheltered harbourage, and deep water.

By Mr. Duncan.

Is there any coal?—I never heard of any; the north-west part is chiefly rocky, contains second-rate land.

Describe the character of the timber?—Small, scattered and knotty. There are a few oaks in open land, near Quamichan Lake.

What is the prevailing timber?—There is little else than pine, some of it being large.

What is the extent of land suitable for agricultural purposes unpre-empted?—There might probably be one thousand acres.

By Mr. De Cosmos.

Shawnigan District—What is the character and quality of the land in this district?—There is a very fine prairie, I think, in section 20, ranges 6 and 7 from about sixty to eighty acres, there is also about five hundred acres in the centre of the district not taken up, the remainder is light gravel covered with small timber suitable for fencing, but not large enough for spars. Towards the south, in range 9, is more good land, which has been taken up. On the East Coast there is some good land, with fir timber, fit for milling and logging. The prevailing character is strong, rocky, and poor.

Any maple?—Not that I am aware of; the timber on the hills is chiefly fir, stones intermixed with gravel; there is good timber on some of the bottoms.

Would it make an agricultural country?—I think not, it is so low.

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By Mr. Duncan.

Is that prairie taken up in the north?—I think not.

Is the prairie taken up in the south part of the district?—I think not.

By the Chairman.

What is the extent of the same?—About forty acres.

By Mr. De Cosmos.

Quamichan District—What is the character and quality of the land in this district unpre-empted and unsold?—Chiefly pine timber, which is scattered. There is a great deal of prairie on the north-east, but it is chiefly Indian Reserve, sold, or pre-empted.

Wnat is the number of Indians who claim the use of that Reserve?—I should say about two thousand.

What is the area of that Reserve?—There are three Reserves, containing sixteen hundred acres, which is about two acres to each Indian.

By Mr. Ridge.

Are there any minerals?—I do not know of any.

By Mr. De Cosmos.

Is there any good timber for lumbering purposes?—There is some in the vicinity of the river.

How far from it?—Near the river it is worthless, but there is some good timber 1½ miles back. There is a great deal of stream I think adapted for mill purposes.

What extent of land is suitable for farming?—From six to seven thousand acres could readily be farmed.

Comax District—What is the character and quality of the land in this district?—Chiefly good woodlands, the timber being large and straight. The Indians report prairies from 5 to 10 miles from the coast, containing from two to five thousand acres.

Name the river that runs from that district?—The Pimtladge.

Describe its character?—I consider it to be the largest river of Vancouver Island. I saw a schooner of 20 tons up the river about two miles.

What is its length?—I know of no one who has been up that district further than five or six miles.

By Mr. Duncan.

Is it adapted for mill purposes?—I think so.

Any maple?—Not that I know of.

Alberni—Have the owners of the mill paid royalty?—I do not know. They have paid £400, that would be for about 2,000 acres.

Do they occupy more land than that?—I cannot say, I sold them 2,000 acres.

What is the nature of their grant?—There is a tracing showing their claim.

What is the area of the claim?—4,000 acres, on which they have paid two instalments of £200 each.

Is there more than 2,000 acres?—I cannot say, I do not know whether they have acquired any. I will furnish further information.

By Mr. De Cosmos.

What is the character and quality of the remaining Public Lands unsold and unpre-empted throughout the Island, the probable area of agricultural land, timber land, coal, and any any other particulars having a tangible value?—There is very little known of the land between Comax and Fort Rupert. There is a large mountain covered with snow in June, from Comax to Alberni; there is little agricultural land.

Have you made an estimate of the agricultural lands?—I have had no means of doing so.

Any estimate of the timber lands?—I have not.

Has any coal been found?—I think not.

Are you unable to inform us what is the character and quality of the remaining portion of the land?—Quite unable, my information is derived from various reports, and from the officers of the Hudson Bay Company.

What is the character of the settlement in Quatseno?—Pine, timber, and probably some good land.

What is the extent of the agricultural land?—I cannot say, but I think a large extent.

What is the extent of land sold to Mill Company?—7,000 acres.

Does the Pre-emption Proclamations allow a Pre-emptor to purchase contiguous lands?—They do under certain conditions: if a man pre-empted 100 acres, and buys contiguous land, and does not improve the pre-empted, he forfeits the whole

By Mr. Duncan.

Has any coal been discovered in Quatseeno?—I have only heard of it.

What is the extent of the settlement?—1 cannot say.

By Mr. De Cosmos.

Are you prepared to give us any information respecting it?—I have never been there.

Any agricultural lands between Alberni and Sooke?—I think not.

How is that section of country?—There are valleys containing good trees fit for lumber. It is chiefly very rocky and mountainous.

Any places near shore, where a vessel of 100 tons or upwards could load?—At Port San Juan, a vessel could load in fine weather, but it is very much exposed.

By Mr. Duncan.

Any rivers?—I saw no rivers.

There is no further information in reference to the Island you can give?—I think there is nothing more I can say, useful to the public.

Can you give us any information of the use of the country from Cape Scott to Alberni?—We have always considered that on the East Coast, some day, a large lumber trade would be carried on.

Chemanus District—Can you give us any information respecting this District?—It is not a surveyed District but the open Land is all taken up.

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Are there any minerals or timber?—Very fine timber, the Land is of the richest quality, deep alluvial soil near the river. There are large Cedar, Pine, and Maple trees up the mountain.

Any suitable for ship building purposes?—I think there is.

Is it swamp or Highland Maple?—It chiefly grows in the Highlands in rich lands.

What is the extent of land taken up?—It it not surveyed. There are 3370. acres prempted.

By Mr. De Cosmos.

Where is Oyster Bay, and why is it so called?—It is four miles from Chemanus and so called for being celebrated for its large beds of Oysters.

What is their quality?—Small but of the finest flavor.

Any fresh water streams running into the Bay?—There are small streams but no rivers.

What is the character of the Country round Fort Rupert?—I have never been their.

By Dr. Tolmie.

Are there any swamps?—Some Swamps and a good deal of gravel.

James Island—Do you know anything of its character?—The Land is poor, and the timber small it is between Sallas Island and Tilitsoot.

Do you know of any one having been to the West Coast of the Island who conld give us any information?—There are Cap. McKay. and Swanson.

What is the extent and position of the Reserve, once known as the Clergy Reserve V. I. and the date of the pre-emption?—2000 Acres in extent, comprising that land from Section 19, (McPhall's old diary) North-ward to Mount Douglas, It has not been reserved since Oct. 1855.

By Mr. Duncan.

By whose authority was it done away with?—The authority of the Hudson Bay Co. and the Governor of Vancouver Island.

State the date?—The 8th October, 1855. The Hudson Bay Co. at this time were the Government.

What is the extent and position of the land known as the Government Reserve?—About 1000. acres extending North from Section 19.

By Mr. Ridge.

Is it still reserved to the Government?—It is not.

What date was it done away with?—The 8th October, 1855.

By Mr. Duncan.

In whose possession now is the Clergy Reserve?—I should say at least in the possession of from 10 to 15 people.

The Committee here adjourned until to-morrow, at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, December. 2nd, 1863.—Present, Dr. Trimble, (Chairman.) Mr. De Cosmos. Dr. Tolmie. Mr. Duncan. The minutes of the last meeting (after a slight alteration at the request of Mr. Pearse.) were read and confirmed. Further examination of Mr. B. W. Pearse:

Reserve—Mr. Duncan. produced a tracing of the Reserves, these Mr. Pearse. stated were chiefly rock lands and points, and were from 6 to 10 Miles apart, their object being for a Light House, and Government purposes.

How large is that reserve on the south west?—11 square miles.

What is the object?—Reserved for Indians, in case there should be any there.

Not for Government purposes?—No.

What is the extent and object of the reserve at Port San Juan?—For Indians at the Harbour. There are 3 Reserves, 2 being for light house purposes.

Are there any Indians?—I think there are.

Are there any rivers running into the Sea?—I believe there are.

What is their character?—I do not know.

Are their any oil establishments?—I do not know.

What is the extent?—1 square mile.

Does it embrace the entrance to the harbour?—Not entirely.

What is the quality of the land?—Chiefly rock.

For what is the reserve intended?—I think it is useful for military purposes.

What is the object of the reserve East of Barclay Sound?—A little less than a square mile, It is reserved for Light House purposes.

What is the object of the Fast entrance to that Harbour?—I think it is Rock, and for military purposes

What is the object of that still further up Barclay Sound?—It was reserved some time since (on the application of another party) by the Governor for Government purposes.

What is the object of the reserve 5 miles from Alberni?—Government reserve.

How many acres?—It has not been surveyed.

What is its object?—I do not know.

There are 3 other reserves at the mouth of Barclay Sound, What is theirobject?—For light house and military Purposes

Please to describe the reserves on the plan?—Those on the West of Barclay Sound are 14 in number, extending to Cape Scott, are chiefly reserved for Light House purposes, excepting that at Estavan which is reserved for military and mining purposes. From Cape Scott, Eastward to Point Mescicano, and the Reserve immediately to the South on the main land is reserved for Government or Light-house purposes: next to Fort Rupert is chiefly for Indian and Government purposes, From the last mentioned reserve. there are 9 reserved on this side of Cape Mudge, they are for Government purposes, some being for Light House Purposes, that situate on Cape Mudge is reserved for Eucletaw Indians; the next one south, between the East and Comox is Government Reserve; that at the entrance to Comox Harbour is reserved for Government and Light House purposes. The reserve

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at the mouth of the Puntladge river is Indian Reserve, the next is at the mouth of Quallahun river is for Government purposes that at Noonas is an Indian Reserve, and the one at Nanaimo is reserved for mining purposes on the application of Mr. Bayley. who has formed a Company for working it.

Is there a good site for building a dry dock at Nanaimo?—There is, the rise and fall of the Tide is 13. feet.

Is there any reserve made for that purpose?—There is no special reserve made for that purpose, but there are 1074 acres reserved by the Government from the Coal Company's purchase.

Who are the present occupants or owners of the Clergy Reserve?—This is divided into 21 Sections of about 100 Acres each, and are sold to W. F. Tolmie, James Work, J. W. Tait, J. M. Dougal, John Swanson, John Irving, James Todd, Robt. Scott, Peter Merriman, Gullion.

Are these paid for?—Thev are, a few instalments only remaining unpaid.

How many acres are there in the Government Reserve?—It contained 937 acres when it was offered by the Hudson Bay Co. to the present Governor on condition that he should fence it in farm it, and should pass to his Successor at the expiration of his term of Office.

Where did you obtain the terms on which this land was to be dealt with?—From the Governor.

Was it offered to Governor Blanchard?—It was not.

Why was the reserve broken up?—Owing to instructions received from the Hudson Bay Co. affirmed by the Governor.

What is the date?—October 8th, 1855.

To whom do those reserves now belong?—To Sir James Douglas, J. D. Pemberton, and B. W. Pearse,

When was the offer made to Government?—I presume about 1857 or 1852.

What was the reason for breaking it up?—I do not know.

What date did the Governor select his portion?—In 1851 or 1858.

How much was taken up by the Governor?—68 acres.

Did you survey the Governors land?—I did.

What is its actual extent?—68 acres.

Are there any payments recorded in the books of the Land Office?—I believe not.

Have they received the title deeds?—I believe not.

When and by whom was the land surveyed?—By me, and as far as I can remember 740 acres.

How many acres are charged for?—The same number as their actually is.

To whom did it belong?—The Fur Trade Branch of the Hudson Bay Co.

When and whom did they pay for it?—I do not know.

Where the title deeds obtained from the Land Office?—No, That claim is recorded with the others.

Did you survey Mr. Works portion?—I did.

What is the actual extent?—I will give it Sections, In one 111,26 another 100, 62 another 85,25 another 86,90 and another 87,18.

What is the gross amount of the actual extent?—471,31 acres.

How many acres are paid for?—I do not know.

When did Mr. Pemberton take up his land?—Early in 1856.

When was it paid for?—In May 1857.

What is the actual measurement?—528½, acres.

How much has been paid for?—207,87, acres.

What is the reason of the discrepency between the amount of Land 528½,and that which is paid for?—The difference shewn between these figures, arises entirely from the existance of roads, and swamps, which were never charged for up to the year 1855. by instructions from the Company.

Were these written instructions?—They were.

What date did you receive them?—In 1855.

Are these instructions still in force?—They are not, they were under great pressure of business revoked in 1858.

Can these instructions be refered to?—I believe they can.

Who bought the balance of 340 acres?—I did.

Did you survey it yourself?—I did.

How much did you pay for?—195 Acres, the discrepency is caused by rock and swamp, an allowance is made to every purchaser.

Did you survey the land which the Governor, Mr. Pemberton, and yourself had?—I did and made all these surveys up to that time, as there was no other Surveyor in the country.

When did you take up your land?—May 8th, 1857.

How did you pay for it?—I paid an installment of one fourth at the time.

When did you complete your purchase?—I believe on May 8th, 1862.

There was 195 acres allowed for rock, and swamps, Was there any check to your survey of them?—Mr. Pemberton, afterwards surveyed the rock, and swamps.

Has it been the practice always to allow for rock and swamp, and has it never been paid for, by any one who had rock?—It has, rock in some instances has been paid for before these instructions were issued, but not afterwards.

What is the date of the year of Mr. Yate's purchase up the Arm?—I cannot tell without reference.

Did he pay for the rock?—I cannot tell.

By the Chairman.

Has Government any claim to the rock, when conveyed without any consideration?—No by express stipulation the Hudson Bay Co. relinquished all claim, except to coals and minerals where coal was known to exist the rock was charged for.

Who surveyed Colwood, McKenzie, and Skinner's farms, and when were they surveyed?—I believe, Mr. Pemberton,

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What is the actual extent of these farms?—I believe 2594, acres.

When and how did they pay for these lands?—In 1852 or 1853, by the agents of the Puget Sound Agricultural Co. in London to the Hudson Bay Co. in London at that date.

Have they Title Deeds to these Lands?—They have.

Made here, or in London?—In London, from information from the Colonial Land Office.

Did you transmit instructions to London?—I did not.

What is the date of transmission to London?—About 1852 or 1853.

When and by whom was the Upland Farm surveyed?—By me in 1856.

What is the actual extent?—Speaking from memory 1112, acres.

To whom did this land belong?—To the Fur Trade Branch of the Hudson Bay Co.

How many acres were charged for?—I believe 1112, as that is the content I do not know whether paid for or not.

Are the Title Deeds in the Land Office?—They are not, but the land is registered as paid for by them.

Did you survey Mr. Todd's Farm?—I made all the surveys in the Country, except half a dozen.

What is the extent of his land?—About 100 acres.

How much land did he pay for?—I cannot tell from memory.

How many acres are paid for?—I cannot tell, He has paid for all the good land.

Did you survey Mr. Tod's Land?—I did I resurveyed the survey made by Captain Grant R. E.

What is its actual extent?—111, acres.

What was paid for it?—£1 per acre.

How many acres were charged for?—110 acres.

Was an allowance made for Rock and Swamp?—I believe not.

To whom does the land at Cadbora Bay belong?—To Mr. Tait.

Who surveyed it?—I surveyed it, it contains 1200, I cannot say how many acres are charged for in our books, He paid for the land in full by instalments.

By the Chairman.

Whose names are recorded in the books of the Land Office, as owners of the Puget Sound Co. land?—The Title Deeds in the Land Office, mention the names of Edward Ellice, Junior, George Dunbar, Earl of Selkirk, Sir George Simpson, and Henry Hulse Berens.

Are these the names in your books?—It was recorded by the short title of Puget Sound Company.

Is that Co. Chartered?—I do not know.

Was the Town site of Victoria ever registered as the private property of the Hudson Bay Co.?—It was, but not paid for by instructions from Home.

In what year?—In the year 1857, in the year I came here the Fur Trade reserve comprised 75 S. miles, that is nearly 16000, acres.

By what title do they claim it?—By a possessory right anterior to the grant of the Island.

Has the Home Government repudiated the possessory rights?—They have abridged their claim themselves.

By whose authority was the City of Victoria laid out and at what date?—By the authority of the Hudson Bay Co.

What is the date of the first Official plan or map of Victoria recorded in the Land Office, and approved by the Hudson Bay Co. and the Government at home, as the Map of the City?—There was an official map of the Town Site in 1858, the map in use was the survey made by the Directors of the Hudson Bay Co. by the Colonial Surveyor, and was employed by the Hudson Bay C. early in 1859.

By Mr. Duncan,

Is this [producing a map] a copy of a sketch made of the Town of Victoria by the Hudson Bay Co. dated January 1852, and signed by Mr. Pemberton and do you know where the original is?—I do not, I believe I made that tracing in 1851

Was this sent home to Mr. Pemberton?—I do not know.

Did you furnish a report to accompany this?—I did.

Was there any reply to this?—I cannot say.

The Committee here adjourned,

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, Dec. 3, 1863.—Present Dr. Trimble, (in the chair), Mr. Duncan, Mr. Ridge, Examination of Mr. Walter Green.

What is your profession or occupation?—I am by profession a Civil Engineer.

Have you been in the Land Office, and employed by the Colony?—I have been employed on Government surveys, but not in the Land Office.

By Mr. Ridge.

How many years have you been in the Colony?—Since July 1858,

What lands did you survey under the instructions of the Land Office?—I surveyed the subdivision of Metchosin, the Town site of Newcastle, Nanaimo, and about 100 acres of suburban lots of the Town of Newcastle, ranging from 3 to 5 acres.

Anywhere else?—None.

In what year, did you survey these?—In the latter part of 1861, I am now referring to Newcastle.

Have you surveyed any of the suburbs of Victoria for the Government?—Yes, once, the Government Reserve, that was in March 1861.

Did you survey a portion of Beckley Farm?—I did, for the Hudson Bay Company in 1861.

Have you been employed by the Government to survey any other lands in Victoria District?—No.

Have you surveyed any for the Hudson Bay Company?—Yes.

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By Mr. Duncan.

With regard to the boundary line between Beckley Farm, and the Park which you laid down for the Government, does it remain the same boundary line now?—No.

When you laid down the boundary line for the Government, were they satisfied?—Yes, Mr. Pearse afterwards surveyed it.

Were the Hudson Bay Company satisfied?—Yes, they were satisfied it was the true boundary at that time.

At that time what did you consider the true boundary of the Park?—From the north-west corner of the Park, a line running south 10 deg. 5 min. east to the Straits of Fuca, the length of the line being 60 chains 14 links, more or less.

Were there several plots of land described on the map situate within the original limits of the Park?—None.

What portion of these blocks at that portion of the line, described as belonging to the Park, have been sold?—Lots 1811, 1810, 1809, portion of 1808, 1756, 1757, 1758, 1759, 1760, 1755, 1754, 1707, also a portion of blocks Nos. 1, 2, amounting in these two blocks to about 5½ acres.

By the Chairman.

Who occupy those lands belonging to the Park?—The 5½ acres are in part owned by Col. Moody and Mr. Dallas, about five acres belonging to the former, and half an acre to the latter gentleman.

Who owns the lots described as within the original line of the Park?—Lots 1756, 1755, I believe are owned by Mr. John Morris, and 1811, 1810, 1809 by Mr. Munroe, I have no knowlege who occupy the remaining lots.

Were the lands described as between the real boundary, and the mistaken one, sold antecedent to your laying down the boundary line?—Yes, I believe they were, some I know were.

Who sold those?—I think the Hudson Bay Company.

When you made the survey were the Hudson Bay Company satisfied that the line laid down was the real limits of the Park?—They were.

By Mr. Duncan.

When you surveyed the Park, did you get an acknowledged starting point from Mr. Dallas, and the Land Offie?—I did.

From the point given to the Straits of Fuca, does it cut through any portion of Governor Douglas' property?—It does.

And the lots and portions of land above described?—Yes.

In running that boundary line, did you discover the posts denoting the boundary line of the Park, as originally laid down, and corresponding with your line?—I discovered the original Surveyor's post, and trees marked with the broad arrow.

Does the line run through a portion of land, described as originally belonging to the Park.—Yes, that to the eastward of that boundary.

How much of this Park belongs to Governor Douglas?—About ¼ of an acre.

Is it fenced in?—Yes.

By the Chairman.

How many acres on the south side have been taken up?—Between 9 and 10 acres.

Who surveyed the north-east side of the Park?—Mr. John Gastineau.

Are you aware of the existence of a map, showing the whole area of the Park as originally reserved?—I believe there is one.

How many acres were there?—I am not aware.

Is that map in the Land office?—I believe it is.

By Mr. Duncan.

Can you tell us whether the bottom of Johnson Street, as it now is, corresponds with the description in the map of 1858?—It does not.

Do you know lot 182 E, at the bottom of that street?—Yes.

Does the true boundary of Johnson Street include that lot?—Yes, I consider the south side of the street should include that lot.

By whose authority was it sold?—I am not aware.

Did you survey the Church Reserve?—No.

Do you know whether the present reserve corresponds with the original one?—To the best of my belief it does.

The Committee here adjourned until to-morrow, at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, December, 4, 1863.—Present, Dr. Trimble, Chairman, Mr. Tolmie, Mr. Duncan. The minutes of the last meeting were read over in the presence of Mr. Green, and confirmed.

Further examination of Mr. Walter Green.

By Dr. Tolmie.

You stated in your evidence that the Hudson Bay Company were satisfied with a certain line of the Park, how do you know that?—Mr. Dallas was out with me, and expressed himself satisfied with it.

By the Chairman.

What blocks marked on the subdivision map of Beckley Farm did you survey?—From 1 to 30 also 67, 50, 45, 48, and a portion of 46.

By Mr. Duncan.

Who employed you to make the survey?—Mr. Dallas, for the Company.

What was the date?—In March 1861.

By the Chairman.

When did you conclude the survey?—It extended over 6 months.

Did it extend into 1862?—No, the original survey extended to about August 1861.

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By Mr. Duncan.

When you laid out those blocks, was the plan taken from the official map of the Land Office, or suggested by Mr. Dallas.?--The land was put into my hands to subdivide, and the plan was submitted to Mr. Dallas for his approval.

You received no instructions from the Land Office?--None whatever.

By the Chairman.

When did you complete the entire survey of the subdivisions of Beckley Farm?—I will at another time furnish the Committee with the exact date.

To whom does block No. 1 belong?—I believe to Colonel Moody.

How many acres does it contain?—16 acres.

To whom does block No. 2 belong?--I believe to Mr. Dallas, I am now speaking with regard to the original purchasers.

By Mr. Duncan.

At what date were they purchased?--Of that I am not aware.

How do you know they were purchased?--Because I was instructed as parties applied for them to put their names on the map.

When did Col. Moody apply for his?---Very early in the survey, I should say in April, 1861.

When did Mr. Dallas buy his block?--I put his name down about the same time as Col. Moody's.

To whom does block No. 7 belong?--I believe to Mr. Bissett.

How many acres does it contain?---6 acres.

When did he purchase that?--I can only say some time between March and August 1861.

By the Chairman.

Did he merely apply to have his name put down, or did he buy it?--I believe he purchased it.

By Mr. Duncan.

To whom does block No. 6 belong?--I am not aware.

To whom does block N. 12 belong?--To Mr. Cridge.

How many acres does it contain?---About 5 acres.

When did he purchase that property?---About the same time as Mr. Bissett.

To whom does block No. 13 belong?--To Mr. Huggins.

How much does it contain?--About 4¼ acres.

Did Mr. Huggins apply to you personally for that land?--He consulted me about it.

By the Chairman.

When was that?--I think in June or July 1861. he consulted me about the land, and then I was instructed to put his name down as the purchaser.

By Mr. Duncan.

Who instructed you?--I believe Mr. McTavish, and Mr. Huggins also.

When did Mr. Huggins receive the deeds of this land?—I am not aware.

Do you know whether he received the deeds?--I am not aware.

By the Chairman.

To whom doNo. 9 and 11 belong?---I believe they belong to Mr. Medana.

How many acres do they contain?---About 5 acres each.

When did you make the survey?---In the early part of May 1861.

When did he apply?--Shortly after the survey was completed.

To whom do 14, 7, and 21 belong?--I am not aware to whom fourteen and seven belong; block 20 was applied for before Mr. Dallas left by Mr. Ring and his name was put on the map.

At what date was this?-- In March, before Mr. Dallas left,

How many acres are there in the three lots marked on the map as Hudson Bay Company, numbered 14, 7, and 20?—20 acres.

To whom does lot 25 belong?—To Mr. Ring.

How many acres does it contain?—Thirteen.

When did he apply for it?—I should say in July or August 1861.

By the Chairman.

To whom does block No. 28 belong?—I have no knowledge.

Was ever any application made for it?—Not that I am aware of.

Have you ever heard of any application being made since?—I have never.

How many acres does it contain?—Eight and three-tenths.

To whom does lot 29 belong?—I am not aware.

To whom does block 30 belong?—Dr. Tuzo.

How many acres does it contain?—Between four and five,

When did he become the owner?—I will furnish the date, I think it was in October 1861.

When was this subdivision map returned to the Hudson Bay Company?--About the latter end of November, 1861.

By Mr. Duncan.

Had Dr. Tuzo applied for lot 30 then?—He had.

How long before that time?—I can only tell by his having spoken to me about it, after the general survey was completed.

By the Chairman.

To whom does block 27 belong?—I do not know.

How many acres does it contain?—Five acres.

To whom does block 31 belong?--I am not aware, it was applied for by Mr. Tiedeman, but he did not take it.

By Mr. Duncan.

At what date did he refuse it?—I think at the latter end of 1861.

Are you positive that lot thirty-one was not sold in December?—I have no name for it on the map at that date.

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By Dr. Tolmie.

Whey you used the term "apply," in the foregoing answers, what do you mean it to express?—Simply their having applied to me to place their names on the map, then. I must say in explanation that I was instructed by Mr. Dallas, and also by Mr. McTavish to place the names of applicants for certain sections on the map to prevent confusion

By the Chairman.

To whom does block 26 belong?—I believe to Mr. Ring.

How many acres does it contain?—About twelve acres.

When was application made for that block?—About the same period as block 25.

To whom do blocks 23 and 24 belong?—I think to Mr. Tait.

How many acres do they contain?—About 5¼ acres.

When was application made for those lots?—I think about July 1861.

To whom does block 22 belong?—I am not aware.

How many acres does it contain?—2¾ acres.

To whom does block 21 belong?—I am not aware.

How many acres does it contain?—Three acres.

To whom do blocks 18 and 19 belong?—I am not aware.

How many acres do they contain?—5¾ acres.

To whom do blocks 15 and 16 belong?—To Mr. McKay.

When did you apply for them?—Early in 1862.

Had any other person applied beside you?—Yes, Mr. McKay.

When did Mr. McKay apply for them?—In August 1861.

To whom did you apply?—To Mr. McTavish.

What reply did you receive?—That they were already sold, I believe to Mr. McKay.

By Mr. Duncan.

Had you any names down for block 15 and 16, when you delivered up your maps, on the completion of the survey in November 1861?—No, I think not.

By the Chairman.

Did you not think it strange that no person made application for these two blocks?—No, I did not, because there were some applications that were not made to me personally.

How did you become possessed of that information?—Because I have had instructions to-re-survey certain sections, which had been sold without my knowledge.

From whom did you receive these instructions?—In one instance from Mr. McTavish.

When did you in that instance receive instructions from Mr. McTavish?—I will furnish the Committee with the date at another time.

What sections has it reference to?—6, 22, 23, and No. 23.

To whom does block ten belong?—I am not aware.

How many acres does it contain?—About 5¾ acres.

To whom does No. 8 belong?—I am not aware.

How many acres does it contain?—About 5¾ acres.

To whom does 6 belong?—I do not know.

How many acres does it contain?—About 6 and nine-tenth acres.

To whom does No. 5 belong?—I am not aware.

How many acres does it contain?—5¾.

To whom do those three blocks, marked H. B. C., and numbered 3, 4, and 5 belong?—I am not aware.

How many acres does it contain?—About seventeen and a half acres.

To whom does 33 belong?—I am not aware.

How many acres does it contain?—About 7 acres.

By Mr. Duncan.

In the case of the lots, of which you are not aware of the ownership, was any name put down before you returned the maps?—Not that I am aware.

Have you surveyed any part of Wharf Street?—Yes.

What portion?—I surveyed the lot upon which the Royal Hotel stands, in 1858.

Have you surveyed any lot on the west side of that street?—I surveyed the Southgate lot in 1858.

Any other lots?—Yes, I surveyed Captain Reid's, at the corner of Wharf and Bastion Streets.

Did you find the surveys of these lots correct by the original maps?—They were not materially out.

Mr. Duncan here produced a tracing of a map, and said:

Do you recognize this tracing as a copy of the Official Map of 1858, as acknowledged by Mr. Pearse?—I do.

The Committee here adjourned until Monday, at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM Dec. 9th, 1864. Present Dr. Trimble (Chairman); Dr. Tolmie, Mr. Duncan Mr. De Cosmos, Mr. Ridge, Col. Foster.

The examination of John Gastineau.

By Mr. Ridge.

What are you?—I am a Surveyor.

What lands have you surveyed under authority?—The Hospital Reserve at Esquimalt.

Any others?—Yes; a large portion of the Lake District.

Any other lands in or about Victoria District for the Government or for the Hudson Bay Co.?—Yes; I made a survey of a part of the Government Reserve and I laid out the whole of what has since been called the Fort Property between James Bay Bridge and Bastion Street.

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By the Chairman.

Did you survey any other property ?—I did not.

By Mr. Ridge.

Did you survey a portion of the Park near the boundary line?—Yes ; that portion of the Park divided by the property of Sir James Douglas and also the dividing line of the properties of Mr. Dallas and Mr. Fraser.

By Mr. Duncan.

Did you know of a line on the map dated 1852 similar to the line of the present boundaries of the Park ?—I do not remember seeing the boundary line on the Map of that date.

Did you ever know of a map of that character ?—I did not.

Did you ever see one dated 1858 ?- -I do not remember that I did.

Did you ever see any other map describing the original boundary ?—I did not.

Have you seen the official map of 1858 describing the boundary of the Park ?—I saw it in 1858 when I was engaged in the Land Office.

Did you observe on that map the extent and boundaries of the Park ?—I did ; but the map was not completed at that time.

Were the boundaries of the Park defined upon that map?—To the best of my knowledge they were.

What is the exact area of the Park ?—I do not know.

Are the lines laid down on the boundiary line of the Park on this Map the same as those laid down in 1858 ?—Yes ; generally, with some exceptions.

According to your Survey do you believe the Park has been lessened on the N. E. side since it was laid out ?—I do not believe it has.

Did you survey the North and North East boundaries of the Park ?—I did.

To the best of your belief do these boundaries embrace the Park as it was originally reserved ?—I am not able to answer that question.

Do you know of any lands in the N. or N. E. side of the Park that were originally included in it but are not so now ?—I do not know.

By the Chairman.

Were any part of these blocks believed to have belonged to Mr. Fraser, and Mr. Dallas, ?—I cannot say positively.

To whom did blocks 56 and 31 belong at the time of the survey ?—I do not know.

Were you employed by any one to survey any part of block 31 ?—Yes I was employed by Messrs Fraser, and Dallas.

At what time ?—In 1860 I think.

By Mr. Ridge,

I understand you to say that you were employed in 1858 in surveying the Park ?—I said I was not employed to survey the Park ; but in 1860 I was employed by Sir, James Douglas, to survey his property adjoining the Park and had to run over the N. E. boundary line of the Park.

By the Chairman.

Did you survey the Government Reserve, James Bay ?—I did

By whose order ?—By the order of Mr. McTavish.

Can you tell us the object of that survey ?—There was a discrepancy in the previous survey and I requested to re-survey it ; Mr. Green's Survey contained one or two more acres than were believed to be in it.

How many acres did you find by your survey ?—Ten exactly.

By Mr. De Cosmos.

That is after an accurate Survey you found it to contain Ten acres—Yes.

By the Chairman.

At what time did you make the survey ?—I finished 24th May 1861, after Mr. Dallas, left.

Did Mr. McTavish make any remarks on the discrepancy when you stated that there were only ten acres ?—No ; the principal business was conducted through Mr. Lowenburg.

Did you communicate through Mr. Lowenberg. or Mr, McTavish ?—I gave the plan when finished into their hands with the original tracing.

Who employed you ?—Mr. McTavish.

Do you expect to be paid by the Hudson Bay Company for the survey ?—Certainly.

By Mr. De Cosmos.

On the map of the Town which you saw in the Land Office in 1858 and which was then in use did you see a street running from Government street along the N. Line of the Fort property to the water side ?—Every map shows distinctly that there was not such intention as to carry that through to the water.

Committee adjourned till to-morrow.

(Signed). JAMES TRIMBLE, Chairman.

COMMITTEE ROOM. December 10th, 1863.—Present Dr. Trimble, (Chairman) Mr- Ridge, Mr. De Cosmos, Dr. Tolmie. Mr. Duncan.

Further examination of Mr. Walter Green.

By the Chairman.

When did you receive instructions to survey Mr. Nagle,s Land ?—In September, 1861,

Did not some person apply to you in December 1861 ?—Yes.

Who was that ?—Captain Nagle.

At what time in December ?—That I cannot say.

Was the map at that time returned to the Hudson Bay Company, ?—Yes ; I went with Captain Nagle.

To whom did Captain Nagle apply ?—To Mr. McTavish.

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Did any other person apply ?—No ; not that I remember.
Did you in your former evidence give information to whom blocks 25 and 26 belong ?—Yes.
To whom did they belong ?—I believe, Mr. Ring.
Whose name was on the map ?—I saw Captain Nagle's name was put on Block 25 as early as March, 1861.
Did it continue there ?—Yes ; I think it was on a month.
Why was it taken off ?—Because he was uncertain whether he would take Blocks 25 and 26, or whether he would take land in the neighbourhood of the farm buildings.
When did you remove the name of Captain Nagle from block 25 ?—In the early part of May, 1861.
Whose name did you then put on ?—Mr. Ring's.
At what time ?—At the same time I removed Captain Nagle's.
Who told you to put his name there ?—Both Mr. McTavish, and Mr. Ring.
Where where you at that time ?—As regards Mr. Ring, on the ground ; as regards Mr. McTavish, in the office.
Did the name continue there up to the time that you delivered up the Map ?—Yes.
Are you aware of any other applications for that land ?—No, I am not.
Did you ever hear that the Bishop of Columbia was negotiating for these lots ?—I heard that he had applied.
Whose name was put on block 26 ?—Mr. Ring's.
When was his name put on ?—In May 1861.
And continued there up to the time you delivered up the maps ? —Yes ; I think I marked his name on the post.
What was the time when you surveyed the Park Boundary, Blocks 1, 2, 3, ?—I have answered the question before.
How long were you eugaged in surveying that boundary ?—From the boundary line I think I was 4 days.
You concluded then about the 10th March 1861 ?—I had run the false boundary about the latter end of February.
Do you recollect showing me on that map the boundary of that place ?—Yes
At what time ?—That was a long time after ; I think in 1862.
Do you keep a journal of your transactions ? No ; I keep field notes.
In making an account of surveys, do you not keep the date ? No ; my note book discloses that.
Can you discover from your notes, when you ran out the line of Mr. Dallas' block No. 2 ? No, I do not think I can.
Can you approximate to the date ? Yes, I think I probably could.
Will you supply the committee with the information ? If it is in my power, I will.

By the Chairman.

You stated before that you surveyed from No. 1 to No. 3, and also that you surveyed some other blocks which were subdivided into lots. What blocks did you survey that are now subdivided into lots ?—Block 67.
To whom did it belong at the time you surveyed it ?—I am not aware.
Did you subdivide 67 ?—Yes, on the 13th June I subdivided a portion of 67 and 61.
Who authorised you to survey it ?—I think Dr. Tuzo.
Did he tell you who was the owner ?—No ; he did not give me any names.
How many acres does it contain ?—About nine acres.
What other block did you survey ?—I surveyed a portion of block 66.
Did you subdivide block 66 ?—Yes, I subdivided a portion of it.
To whom does block 66 belong ?—There were several owners occupying the lots at the time of the re-survey.
Who instructed you to survey it ?—I think Dr. Tuzo.
At what date ?—It was in the summer in June, 1861.

By Mr. Duncan.

Was it at that time all occupied ?—No.
Which were unoccupied in that lot ?—I think they were all unoccupied, excepting 1975, 1974, 1973, 1950, 1949, and 1948.
Have they been occupied since ?—Not that I am aware of.
What other blocks did you subdivide into lots ?—A portion of block 30, which was subdivided into six lots.
Any other ?—No.
Have you ever seen Mr. Pemberton's map of 1861 (producing it) ?—Yes.
Can you tell me whether that piece of ground extending from S. Price & Co.'s warehouse, to Johnson street, was macadamised by instructions from the Land Office ?—To the best of my recollection it was macadamised at Johnson street, by Morris, for the government.
Do you consider the lot on the map as part of Johnson street ?—According to that map, it is a portion of Johnson street.
Do you recollect when that piece of property was macadamised ?—As near as I can remember, it was in the early part of 1860.
Does some portion of the warehouse show the line of Johnson street, from its peculiar shape ?—It would appear to do so.

By Mr. DeCosmos.

Does not the warehouse conform to the line of Johnson street, as marked on the map before you ? —I could not say whether that building forms the boundary.

By the Chairman.

What month did you arrive here in 1858 ?—In July.

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Do you recollect, on arriving here, whether there was an open road running between James' Bay and the government fence, to what is now called the Government Reserve ?--To the best of my recollection it was a footpath ; but whether it was a wagon road or not, I cannot say.

Did you ever see loaded wagons pass along that way ?--Very frequently.

When first ?--I cannot say.

Was it in 1858 ?--I cannot say whether it was the latter end of 1858, or the beginning of 1859.

By Mr. Ridge.

Had you any contracts on that part of these buildings ?--Yes ; I had three.

Did you haul the material along that road ?--All of it

Did you do it as a matter of course, or from leave ?--There was not at that time any other way to get material there, that I am aware of.

Did any party interfere with you in hauling material up that road ?--No.

By Mr. Duncan

Did you suppose it to be a public road ?--Yes ; as far as I knew, it was the only road.

By Mr. DeCosmos.

Are you aware whether Mr. Ring ever applied for any other property belonging to the Hudson Bay Company ? Yes ; he put his name down for another piece of property, and withdrew his application. It was block 20.

Any more than block 20 ? No ; I have no recollection.

What was the date of that application ?--Before Mr. Dallas left, in May, 1861.

How many acres does it contain ?--It contains ten acres exactly.

When did he withdraw his application ?--I should think it must have been in May, 1861.

Is that block adjoining those of which he now claims to be the owner ?--Yes.

You are sure that is the only block he was offered ?--With the exception of 25 and 26.

Was the offer made for 25 and 26 ?--Yes ; it was very shortly after that date that he transfered his name to 6, that he applied for sections 25 and 26.

Are you aware whether any one else was ever offered block 20 by Mr. Dallas, prior to Mr. Ring putting his name down ?--I am not aware.

Who were your Assistants at the time you surveyed Mr. Nagle's lots of Beckley Farm, when you showed me the Maps ?--That question I cannot answer.

By Mr. Duncan.

When you returned the Map of the south side of James's Bay (completed survey) reserve in November 1861 were all the blocks sold ?--No ; I do not suppose that they were all sold.

Which Blocks were unsold ?--3, 4, 5, 10, 20, 17, 14, 24, 28, 27, 29, 31, 32, and 33. These are the numbers of the lots I supposed not sold.

Were blocks 15 and 16 sold ?--They were.

If blocks 15 and 16 were sold when you completed the Maps in November 1861, why did you apply for them in 1862 ?--I applied to Mr. Dallas, for these Lots in March 1861.

Did you not apply for them in 1862 ?--I applied for another lot in consequence of these being sold.

Do you know of any of the property of Beckley Farm being sold or merely applied for at that time ?--Yes ; I know parts that have been sold and resold.

I alluded to the time you completed your Survey ?--Yes, I know that many portions were sold before I completed the Survey.

By Mr. Ridge.

Were you employed to sell any of those lands ?--No.

Had you anything to do with sale of land on Beckley Farm ?--No.

Did you ever see any written contract of the sale of the Beckley Farm property to any one at that time ?--Yes, No. 1, and I think Nos. 9 and 11.

Any other ?--No, none other that I remember.

Then your knowledge of any other sale of Beckley Farm would be from hearsay ?--I surveyed for several purchasers, and was paid by them.

Name what parties employed you to re-survey there ?--Mr. Ring, blocks 26, 23. 24.

And others ?--Yes, I surveyed block 30.

Any others ?--Yes, I think I re-surveyed No. 3 yesterday.

Do you believe these blocks were sold, because you were employed by the purchasers to survey them ?--Yes.

Have you no other reason to know by ?--No, except as regards No. nine and eleven ; I have seen the deeds for blocks 1, 9, and 11.

Then the rest of Beckley Farm you have no knowledge whether it is sold or not ?--No.

By Mr. Duncan.

What was the date of the deeds of No. 9 and 11 ?--No recollection whatever.

In 1862 or 1863 ?--I do not know that I looked at the date.

At what time did you see these deeds ?--Well, the last time I saw the deed of No. one was about five months ago.

Did you ever see it before ?--I believe I saw it some time in 1861.

When did you for the first time see the deeds of No. 9 and 11 ?--Sometime in 1861.

Who showed you these deeds and in whose presence were you ?--I think No. one by Mr. Cochrane, and No. 9 and 11, Mr. Medana.

When first ?--In 1861.

When did you re-survey section 26 ?--I should say it was about August or September 1862.

Who authorized yon to survey this ?--Mr. Ring.

By Dr. Tolmie.

Did you survey James Bay Reserve in 1861, and for whom ?--I surveyed it for the Hudson Bay Company and the Land Office.

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Mr. Robert Homfray was then examined :

By the Chairman.

When did you arrive in this Colony ?—I think in July 1858.

Were you employed in the Land Office ?—I was.

What districts did you survey when in the employ of the Land Office ?—Part of the Highland, Lake, Metchosin, and Esquimalt Districts.

When in the Land Office were you accustomed to mark in your field notes the quantity of land and rock in each section ?—I was, in the field book ; and when Mr. Pemberton requested also on the map.

You say you laid out part of the Metchosin District ?—Yes.

Do you know the Albert Head Saw Mill Company's Lands ?—Yes, I know the land there, there is about one thousand acres.

Did you mark on the map the quantity of rock by the order of Mr. Pemberton ?—Yes, I recollect his coming to me and asking me to look over my field notes and mark on the map the quantity.

What quantity of rock did you find on that land ?—I do not recollect, probably 60 or 70 acres.

Was that quantity ever disputed by Mr. Pemberton ?—Yes, Mr. Pemberton told me that it was a great deal too little.

Did he ever suggest to you to increase the amount of rock on that one thousand acres ?—Yes, I think he did ; I am certain he did.

How much did he want you to increase it to ?—I do not recollect exactly ; I think it was 300 or 400 acres ; I know it was nearly half the gross amount.

How many acres of rock were marked in your field book ?—I cannot say now ; I know it was not more than 70.

When Mr. Pemberton asked you to add 300 or 400 acres of rock, what reply did you make to him ?—I told him I should not write it upon the map, and I said "Suppose it should have to come before a Court of law I should probably be found guilty of perjury."

Did you also say to him that he was mistaken in the man, when he applied to you to put down 300 or 400 acres over the quantity ?—I said that I had always acted honestly, and that he was mistaken in the man.

Do you recollect telling any one in town of a nearly similar circumstance between Mr. Pemberton and Mr. Pearse ?—I may have done so, but I do not recollect it.

I refer to transactions about the Canadian Lots ?—I think there was something of the kind between Mr. Pemberton and Mr. Pearse, and Mr. Pemberton got very angry.

By Mr. De Cosmos.

Why did he get angry ?—Mr. Pemberton wanted him to tell the Canadians that the lands did not belong to them, as he wanted them for some one else.

Were these Garden Lots ?—Yes, I believe they were.

What reply did Mr. Pearse make when Mr. Pemberton wanted him to tell the Canadians that the lots did not belong to them ?—I do not recollect exactly what he did say ; I think he said he refused to do anything of the kind ; he said that the state of things could not exist long as they were.

What did you understand by the state of things ?—I suppose he meant the things in the Land Office.

Did that expression leave any impression upon your mind that things were right or wrong in the Land Office ?—Certainly not right.

By the Chairman.

Were you ever requested to write "sold" on sections of the map and afterwards to erase the same ?—Yes ; I do not exactly remember the names but Mr. Pemberton used to give me instructions.

The Sections you refer to were they applied for and the parties told they were sold ?—Yes, when they come to have their names put down, Mr. Pemberton, told me to say they were.

Are you aware whether Mr. Pemberton ever ordered Sections to be marked "sold" when they were unsold ?—Yes.

Whose name was generally put on the Map for these supposed sold lots in the land office ?—I do not recollect all the names, but I recollect Mr. Dallas' name.

Can you recollect any of these Lots in the town ?—No, I do not think that I can.

Any other names put down besides Mr. Dallas ?—No ; sometimes the word "sold" and some times Mr. Dallas' name was put on the Map.

Was there any communication made between Mr. Dallas and Mr. Pemberton after his name being on the Map ?—Yes ; Mr. Pemberton used to run over to Mr. Dallas, and sometimes Mr. Dallas to Mr. Pemberton.

Was this land which was marked with Mr. Dallas' name as being sold to him in Metchosen District afterwards erased by Mr. Pemberton, and sold to some one else ?—Yes.

Do you know whether Mr. Dallas now owns any Sections in Metchosen District ?—I believe so ; I am not aware.

Are these Sections that Mr. Dallas now owns the same Sections above described where Mr. Pemberton erased his name ?—I believe not.

Do you believe the system pursued by the land office in 1858-9 and the beginning of 1860 was prejudicial to Settlers ?—I have known a great many to be sent back and could not get the lands they applied for and they made a great disturbance about it.

The same land being then unsold ?—Yes.

If a Settler came in to apply for a good piece of Land was some other persons name generally put down for it ?— In the Metchosen District the Settlers used to come in to me to survey their lands as they preferred me to Mr. Pearse, and I used to go out and survey them and when I returned Mr. Pemberton sometimes instructed me to tell the parties that the land was already sold.

Can you give any instances ?—There were several in the Metchosen District, I believe one was George Mc Kenzie, and Mr. Pemberton told me that he had better not buy it ; he said that it was

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expensive five dollars an acre; the men remarked that they did not mind, that they were willing to pay five dollars an acre.

Did these applicants get the lands at the time?—No.

Was it sold to some one else?—I believe about the same time Mr. Pemberton used to come and say Write "sold" on it.

Have you ever heard it stated that there were any other Maps than the existing ones in the Land Office? - Yes; I heard Mr. Dallas, say something about some Maps and he said that he thought they were destroyed.

Was it good land where Mr. Dallas's name was put on the Section?—Yes it was good land.

A settler had very little chance of getting a good piece of land although unsold?—Very litte.

By Mr. Duncan.

Do you know of any particular instances where more Rock and Swamp was allowed for than really existed?—I believe in all cases they allowed for more than realy existed.

Do you know of more than 50 per cent being allowed than really existed?—I only judge of what Mr. Pemberton wanted me to do in the Albert Head Land.

Do you know of any other instances in the Town?—I think it was a general thing.

By Mr. De Cosmos,

Do you know whether any of the Canadians lost any of their lots?—Yes.

How came the Canadians to have these lots?—I heard Mr. Pemberton say several times they had been given by the Company.

The Committee here adjourned until to-morrow, at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, December, 11, 1863.—Present, Dr. Trimble, Chairman, Mr. De Cosmos, Mr. Duncan, Mr. Tolmie.

Further examination of Mr. Homfray, resumed.

By Mr. De Cosmos.

What was the date at which you returned to Mr. Pemberton, the quantity of 60 or 70 acres of Rock in the Albert Head Survey?—I think it was in the latter end of 1858 or the beginning of 1859.

Do you know when the Land Office refused to throw in Rock and Swamp?—It was not allowed when I came into the country in July, 1858.

How was it then if they were not allowed to give away the Rock or Swamp that the Land Office was disposed to give away 60 or 70 acres in the Albert Head Company property?—The difference would be made in the price of land sold.

Then there was really no Rock or Swamp exempted when you were in the Land Office?—No.

By Dr. Tolmie.

When did the Albert Head Company, buy the Land?—I do not know at what date.

By the Chairman.

Do you know any of the parties of the Vancouver Steam Saw Mill Company?—I do not know how I came to know whether it was by an account I had seen in the papers, wherein I saw Mr. Pemberton's and other parties names mentioned.

Did you ever see the prospectus?—Mr. Duncan this morning shewed me one in the Room.

By Mr. Duncan.

Mr. Duncan here produced a paper and after handing it to the witness said, Look at the paper and see who is the Chairman of the Company referred to?—Sir James Douglas.

Who is the Vice President?—Mr. Roderick Finlayson.

Who are the Managing Directors?—Charles Tod, William F. Tolmie, C. Sangster, J. W. McKay, and John Sebastian Helmcken.

By the Chairman.

Had you any conversation at the time you surveyed the land, with the parties named in this document?—No, I did not know of the existence of the Company, until I came back to the Land Office.

At what time did you make the discovery —Mr. Pemberton pointed out the section belonging to the S. S. N. Co. property, and told me to look into my field book and point out the amount.

When that took place was Mr. Dallas at the head of the Hudson Bay Comyany?—I do not exactly recollect whether it was Mr. Dallas or Mr. Douglas.

I think you stated you surveyed Lands in the District of Victoria?—Yes.

For whom did you survey these Lands?—Bastion and Yates street by order of the Land Office, and Spring Ridge Property by order of the Company.

Did you ever survey Mr. Pemberton's in the District of Victoria?—No, I only surveyed part for persons since.

Did you ever survey Mr. Pearse's property?—No.

From your knowledge of the manner in which things were conducted whilst you were in the Land Office how do you consider they were conducted?—Am I obliged to answer this question.

The Chairman, Yes.

By the Chairman.

How do you consider from your own knowledge, were the affairs of the Land Office, conducted?—If I must answer, I say that I think they were not properly conducted; if I had been at its head I should have conducted affairs very differently.

What was the objectionable feature in its management?—There were a great deal of favoritism, and things were conducted in a very loose, unfair, and improper manner.

By Mr. Duncan.

Can you cite an instance of the affairs being so conducted?—I have already mentioned a number of cases.

By Dr. Tolmie,

You in your evidence of yesterday stated that Mr. Dallas owned Land in the Metchosen District,

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do you know whether that land now owned is either in part or whole the same for which his name is put down?—I should say not, as I was ordered to erase his name.

Might not his name nave been put down afterwards?—It might.

You said that Mr. Pemberton and Mr. Dallas, used to visit each other's Offices, how do you know what then took place?—I inferred from the fact that my map was taken away, as soon as completed to Mr. Dallas' Office, and returned by Mr. Pemberton, with the word "sold" to be inserted by me on it.

What took place in the Land Office, between those gentlemen?—I must say that I do not think Mr. Dallas, at the time knew when Mr. Pemberton took the Map that the particular Sections were applied for.

By Mr. De Cosmos.

What induced you to think this?—Well, from the fact that I did not think that Mr. Dallas, could have been aware that parties had been to the Land Office, requesting Mr. Pemberton to have the property surveyed.

Did you ever see Mr. Dallas's name marked on the plan of property that was bad?—Once I did and that was by mistake.

Will you state what you consider Mr. Pemberton's views could have been when he ordered sections to be marked "sold" ?—I suppose the desire to reserve them for particular friends.

At the time of these surveys do you know any parties, at that time obliged to pay for Rock and Swamp?—I did not always write on the map, excepting by the request of Mr. Pemberton, and if they did not examine the Land, they might have to pay for it, he always allowed for it in the upset price if demanded, I am speaking to the best of my belief.

Mr. Duncan here produced Mr. Pemberton's map of Victoria of 1861 and said.

Can you point out in these sections Mr. Pemberton's property?—Yes, No. 68 and I believe 23, 69 73, and 74.

Can you tell us the gross amount in acres of this Land?—I have heard it stated to be about 1000 acres,

Do you know how much Land Mr. Pemberton, has paid for?—No, I do not.

Do you know when and by whom it was surveyed?—Mr. Pemberton or Mr. Pearse, surveyed it at the time, that there were no other surveyors in the Colony.

By the Chairman.

Do you think a resurvey would show a great deal less rock and swamp than parties were allowed?—Yes I think so but I cannot tell without a correct survey.

By Mr. De Cosmos.

Would the Colonial Government get an accession of Land by a resurvey of these Lands?—I presume they would.

In the case of Mr. Pemberton's 528 acres gross, do you consider that the Government would gain any land by a re-survey, considering that he is allowed 300 odd acres for rock and swamp?—I do not think there is so much rock and swamp as that.

How many acres of land has Mr. Pearse?—340.

Do you know how many he has paid for?—195.

How much allowed for rock and swamp?—145.

In your belief are these 145 acres rock and swamp?—No.

What do you consider would have been a fair quantity to have allowed?—It is so difficult to know what at that time, was meant by rock and swamp; but if I am asked what I considered the amount of rock and swamp to be, I should say not over 90 acres, probably not so much.

By the Chairman.

Have you seen any of the swamp land that was allowed in 1858?—Yes.

What was its character at that time?—As good as any in the Island.

By Mr. Duncan.

Is Mr. Pearse at the present time endeavoring to part with some of the land?—I have heard that for that next the road he asks $1,000 per acre.

Do you believe that the Government would by a re-survey gain 55 acres?—They might.

At the specified price, what would represent the gross value of the property?—$55,000.

By Dr. Tolmie.

Do you know what was considered in the Land Office, in and prior to 1858, to designate rock and swamp?—No, I do not.

You state that Mr. Pearse valued his land at $1,000 per acre, you assent to that?—Yes, near the road.

Back from the road would it be of less value?—A great deal.

Do you know whether this price, means cash or long credit?—I think it was a credit sale on five years.

By Mr. Duncan.

Bearing interest?—I presume so.

Do you know at what rate?—I do not.

By Mr. De Cosmos.

From what you know of these properties, do you believe that it was possible, at the time that exemption was made for rock and swamp, that using every precaution, a mistake could have been made, as to the extent of rock and swamp?—No, not to that extent.

And why?—I presume Mr. Pemberton is a surveyor, and as such, ought to have been enabled by his eye to calculate without measurement within eight or ten acres, the amount of rock and swamp.

Is the character of this land such that it would be difficult for a surveyor to pass through, owing to thick woods and underbrush?—Certainly not.

Where lands are covered with forest and underbrush do you think it possible that a Surveyor

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could make a mistake as to the amount of rock and swamp?—I think it possible, but it is his duty to use every precaution in measuring it.

By Dr. Tolmie.

Why was the original allowance made for rock and swamps?—I presume owing to the great expense of cultivation, clearing and draining.

By the Chairman.

Do you know 120 acres that lie between John Ross' Farm and Mr. Finlayson's property?—I have been on it.

Do you know if any parties claimed that land when you were on it?—I do not.

Were you in the Land Office when plans and specifications for macadamising the streets took place?—Yes. in 1858.

How far was that street macadamized?—To the water in a line with Johnson Street.

Do you know how far that was macadamized to the water?—In a line with Johnson Street to the water.

Was that piece of land, now fenced in, between S. Price's warehouse and the bridge macadamized by orders from the head office?—I presume so.

Did the Colonial Government pay, and to whom, for macadamizing the street?—I believe to John Morris or to Thomas Trounce.

Were you on that land after it was macadamized?—Yes, and then it was always open to the street.

Did they sell the lower part of Johnson Street as a lot, that part lying between Price's warehouse and the east side of Johnson Street?—Yes.

By Dr. Tolmie-

Was it sold previous to the 1st January 1862?—I should say it was.

By the Chairman.

Whilst you were in the Land Office did they attempt to sell any other than that in the town?—Certainly, the Company said they owned the streets, and stated that they could stop them or sell them, and also that they owned the timber growing on the lots.

Did they ever attempt to sell any part of Pandora Street?—No, not to my knowledge.

Do you solemnly state, the piece of land lying between Samuel Price's warehouse and the Bridge belonged to the street?—I have no doubt of it.

The Committee here adjourned until Monday next, at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, December 14, 1864.—Present, Dr Trimble, Chairman, Mr. De Cosmos, Mr. Duncan, Mr. Ridge, Dr. Tolmie.

Examination of Mr. Homfray resumed :

By Mr. Ridge.

At what date did you enter the Land Office?—In July 1858.

Do you of your own knowledge know of any sale of land at that date, or immediately following it?—Yes, town lots

Do you know of the sale of any district lots at that date, or of any of the provinces of the Island?—About two or three days after I entered the Land Office, I was sent to the Metchosin District, to lay it out, and I was there for several weeks.

Were you sent there to lay it out for the purpose of its being sold?—I presume so.

Did you know of it of your own knowledge?—Certainly I did.

Was it the first occasion which you had heard about allowances being made for rock and swamp?—When I came into the Land Office of course it was.

Was there anything in the office to show you absolutely that sales of land had been made, and rock and swamps allowed for at the time you entered the Land Office?—I was told by Mr. Pemberton to mark down the rock and swamp in the Metchosin District.

Have you in former evidence, to a question asked by Mr. De Cosmos, stated that there was a time when they did not make allowance for rock and swamp?—Yes, I mean in the way it was previously understood before I came to the Colony.

By Mr. De Cosmos.

Was there not an order of the Governor in Council, attached to the walls of the Land Office, stating that rock and swamp were exempted, and was not that notice there when you entered the office?—I could not say positively.

You then have no recollection of seeing such an order?—There may have been, but I have no recollection.

By Mr. Ridge,

What was your first public business in the Land Office?—To lay out the Metchosin District.

How many acres did you survey for a Company, afterwards called the Albert Head Company?—I laid out the whole district, but not for the Albert Head Company in particular.

Are you aware that any of the Metchosin District was proposed to be purchased by any Company?—No.

Did you make, to the best of your knowledge, a correct statement of the amount of rock and swamp in the Metchosin District?—Except in this instance, I was not called upon to make any particular statement.

What is the instance you allude to?—It is this: Mr. Pemberton came and asked me to look into my field book, and note in pencil on the map, the quantity of rock in certain sections around the Albert Head saw mills.

What quantity?—About nine or ten hundred acres.

When did you survey this?—In August or September.

What amount of rock and swamp did you allow for in this section?—I think it was about fifty or sixty acres.

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Have you got your field notes?—Yes, I think I have the field notes.

At that time had you anything to do with the sale of land in this Colony officially?—No.

Can you tell me the name of any one who applied for land at any time when you were in the Land Office, and who was shown on the map that the land was marked "sold", whereas by your evidence it was not sold?—I think, I am almost positive in naming George McKenzie.

Any other name?—I have heard complaints of other persons, but I do not know their names; I have known persons coming into the Land Office, and enquiring for land, and had the greatest trouble and difficulty in getting it, some had to go away without it; they said that they had come here to settle with their wives and families. In one instance, I recollect a man stating that he wished to settle here; he had money, wife and family, and that he was an Englishman. Afterwards Mr. Pemberton said: I am tired of that cant about Englishmen, and that he did not want Englishmen in the Colony.

Do you in your last answer mean to infer, that the numerous applications you have refered to were made for lands marked on the map "sold," whereas such land was not sold, or was it for land in general which they wished to purchase and settle on?—For a long time, in the Metchosin and Esquimalt Districts, there was land marked "sold." When parties came in, and Mr. Pemberton was away I showed the map of the land which was marked sold, and I was told to erase these marks by Mr. Pemberton's orders several months afterwards.

When did you leave the Land Office?—I think in 1859.

Are you on friendly terms with Mr. Pemberton?—Oh, yes, that is friendly so far as I can be.

Did you quarrel with him when you left the Land Office?—No he disputed my accounts, but he afterwards paid the whole of them. I had a quarrel when I came to the Land office first.

You said that the Hudson Bay Company stated that they could block up the streets, as they were the owners of them?—I said I heard so.

Did you ever hear any officer, or authorized person of the Hudson Bay Company make that statement?—No, I do not recollect that I have.

Have you surveyed the land belonging to Mr. Pemberton, and Mr. Pearse?—I surveyed a part of Mr. Pemberton's.

How long ago?—About six months.

In your evidence in chief, you have stated what quantity of rock and swamp there was, and what there was not; of your own knowlege have you done that?—I have been over the ground.

You have never made a survey?—I have not surveyed it.

Then your answers with regard to these two properties of Messrs. Pemberton and Pearse, in your former evidence were mere matters of opinion?—Matters of opinion formed by having seen the property.

When you say you have seen the property, do you mean you have seen it as a matter of business, or merely, as I should in walking over it; you have never been employed to survey it, so as to come to a conclusion on it?—I can found my opinion as a surveyor.

By Mr. De Cosmos.

Do you form that opinion as a surveyor?—Certainly.

By Mr. Ridge.

Were you employed to form that opinion?—No.

By Dr. Tolmie.

You told us the other morning that Mr. Duncan had showed you a prospectus of the Albert Head Saw Mill Company. Had you any conversation with him about the evidence you gave?—None.

What is the nature of the soil of these sections belonging to the Albert Head Company?—Rock, swamp, sand, and gravel.

Was this soil of any value as agricultural land?—It is poor, very poor.

Do you of your own knowledge know of Mr. Dallas purchasing any Government Land in this Colony since you came to it?—I have known of his name being marked on the lots in the Esquimalt District, in fact I have been told to do so by Mr. Pemberton.

By Mr. De Cosmos.

Was the word "sold" erased from the maps, when the price of land fell?—To the best of my belief it was.

Were there any particular persons in the Land Office when you were emptoyed there, whose special duty was to sell land?—Yes.

Who were they?—Mr. Pemberton, and I think in his absence Mr. Pearse; Mr. Tiedeman might have done so, I do not know. I never did.

If it had been part of your business to sell land, would you have been better able to inform the Committee of the names of parties who made application for land?—Certainly, when I showed parties land, it was not my business to ask their names.

By the Chairman.

You were asked if you had any dispute when you left the Land Office. Had you any dispute about the time you entered the Land Office?—Yes.

Tell us the nature of it?—I am sorry the question is put, because I must speak the truth. I was in California, and I received a letter from the British Consul, telling me to go down to San Francisco; I there found that the Consul had received instructions from the Government, through Mr. Pemberton, to send one or two Surveyors and Engineers, (if he knew of any) to this Colony: the the Consul sent me up, also Mr. Gastineau, Mr. Pemberton's letter to Mr. Booker, offered the parties Government situations, and stated particulars, I came up with Mr. Gastineau, and saw Mr. Pemberton, who stated that it was a mistake on the part of Mr. Booker; that no such instructions had been written. He laid our introductions before the Governor and came back with the answer that the Governor through him had never offered to make such application, Mr. Gastineau, and I went to see the Governor and sent in our cards which were not taken the slightest notice of, The

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Government said, it was a mistake on the part of Mr. Booker, I told His Excellency that we were entrapped to this Colony, with offers of a Government situation, He said we had better look around the town, and see what we could get to do, I told His Excellency that I would write down to Mr. Booker, and get a copy of his letter, He afterwards said we had better see Mr. Pemberton, which we did, Mr. Pemberton then gave us employment in the land office, I got a copy of the letter and showed it to Mr. Fraser, Mr- Pemberton denied having written it.

By Mr. Duncan.

What do you mean when you say that the Governor took no notice of your Cards?—He did not ask us into the Office to explane matters, I saw the Governor going out of the door.

Do you know if Mr. Pemberton was surveyor to the Hudson Bay Company?—Yes he was.

That is the only dispute you had with Mr. Pemberton?—Yes, but it was one of long standing.

Do you know of Mr. Neily having applied to Mr. Pemberton for the purpose of purchasing unsold land, and of his being told by Mr, Pemberton to look at it first, and on his looking and approving the land and still desiring to purchase it was then told that it was sold?—I do not recollect names.

Do you remember Mr. Ochoner doing the same thing?—I cannot say.

By Dr. Tolmie.

Was Mr. Pemberton Government Surveyor at that time?—Well, it is very difficult for me to recollect when he was the Government Surveyor, or the Hudson Bay Company's Surveyor.

Committee here adjourned till to-morrow. at 11 A. M.

(Signed). JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, December 15th 1863.—Present Dr. Trimble, Chairman, Mr. De Cosmos, Mr Duncan. Mr. Ridge,

Mr. R. Homfray, was further examined.

Did you ever mark "sold" upon a map by instructions received from Mr. Pemberton?—Yes.

Did you know at that time of any of the Plots of land you had marked "sold" by Mr. Pemberton's orders, were not sold?—I did.

Explain at what particular time this occured?—I do not know.

How long at the time had you been in the Land Office?—It must have been about 4 months.

What particular case do you allude to?—I refer you to one when Mr. Pemberton told me to mark "sold" on sections in Esquimalt, or Metchosen district, I do not remember which as there was no division in the district.

What occured on that particular occasion between you and Mr. Pemberton?—Nothing excepting he said please mark "sold" and I did so.

By Mr. Ridge.

When you received instructions from him, did you consider them as simple instructions?—Simply instructions to do what he told me.

Was he in the habit if giving you his motives, and intentions. of the ultimate dispositions of the matter in hand upon which you were instructed?—No he was not in the habit of so doing.

Then am I to understand that you arrived at the conclusion in answer to the Chairman's question from outside circumstances and not from Official instructions?—All the important points I know positively to the best of my belief.

Do you of your own knowledge know whether Mr. Tuzo was up before the Police Magistrate charged with cutting down trees in the streets of Victoria?—I do positively.

By the Chairman.

Are you perfectly certain beyond a doubt that the land marked "sold" by Mr. Pemberton's orders was not sold?—No doubt of it, because I was ordered to erase the word sold.

How long after its being marked was this erasure made —Sometime between 5, and 8, weeks.

Had you any conversation with Mr. Pemberton regarding the land being sold on the map, and turning away parties who wanted it Knowing that the land was not sold.

Do you think it possible that a plot marked "sold" might have been sold, Six months after that the party might not take it and then be ordered to erase it?—Oh yes certainly.

By Mr. De Cosmos.

Do you know if there were any regulations made whereby the Land Office could have been governed in the sales of land by which no lands could have been sold, but by payment of deposits?—That was I believe the custom.

What was the amount of deposit?—I think one fourth.

If an Instalment had been paid on land sold, how do you accounnt for land being subsequently marked "unsold" or the word "sold" being erased?—Well, that the land in the first instance was never sold at all.

Do you know of any instance of an instalment being paid on land, and that land being afterwards declared to be unsold?—No.

By Mr. Duncan.

Do you know of the word "sold" being marked on any lot of land upon which no instalment could have been paid?—No I do not.

The Committee here adjourned until 11 A. M. to-morrow.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, December 16th, 1863.—Present, Dr. Trimble, Chairman, Mr. Duncan, Mr. Ridge. Mr. De Cosmos, Dr. Tolmie.

[Some recent alterations and insertions by Mr. Arnoup occur in the Committee Book this day.]

Further examination of Mr. B. W. Pearse.

Mr. Pearse, before his examination made the following statement. I stated before the Committee

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on a previous occasion that after the year 1858, there were no allowances for rock and swamp. That was not correct. It should have been there was no allowance for rock and swamp excepting were purchasers took over 640 acres or one square mile. Mr. Pearse produced a letter which was ordered to be copied in the minutes, as follows :

(Copy) Victoria V. I. Government House, June 17th, 1858.

To Mr. J. D. Pemberton, Colonial Surveyor.

Sir. As it is necessary to simplify details as much as possible in order to get quickly through the increased business of the Surveying department, discontinue to make estimates, or allowances on account of rock, or swamp, and sell Colonial lands at £1 per acre simply. In special cases however e. g. where the quantity of land to be sold to one purchaser amounts to 640 acres or upwards, you may make what you consider under the circumstances a reasonable deduction if the rock and swamp contained is considerable. Make the smallest sections of agricultural lands to be sold contain 100 acres, Discontinue to register any pre-emption claims upon any ground whatever.

I have, &c. &c. (Signed), JAMES DOUGLAS.

By Mr. Duncan.

Is Section 1 Victoria District surveyed, and by whom ?—It is I surveyed it.

What is its actual size ?—Sections I I A, and I B were all classed together in our books as one section ; they contain 418 acres within the lines.

How much rock, and swamp is there ?—A very great deal but not any allowed for, it was all paid for.

Are these Sections sold ?—They are.

When were they sold ?- I cannot tell from memory, I think it was in 1851.

To whom were they sold ?—To James Douglas.

How were they paid for ?—I have no recollection, I think they were paid for by an order on the Hudson Bay Company in Victoria.

Then this land was not paid for by instalments ?—It was not.

Did Sir James Douglas pay for the whole 418 acres ?—He did, he had no allowance whatever for roads, rock, or swamp.

Is section 19 surveyed ?—Yes, by myself.

By Mr. Duncan.

What is its size ?—145 acres.

How much rock and swamp is allowed, and on what part of the section is it situated ?—There are 28½ acres of rock, 17¼ of swamp; the latter is chiefly on the North boundary, the former on the East and South sides.

Was the section sold ?—Yes.

When ?—I do not know ; it was paid for in October, 1855 ; it was sold to Isabella Ross.

How was it paid for ?—In full.

Was it paid for in cash ?—I cannot tell, it is in the books.

Who received the cash ?—The Surveyor General, I presume.

Can you turn to the book ?—I do not think so, it appears on the annual report of lands sales to His Excellency.

Do you keep a cash book for the Lands and Works ?—We do.

Can you turn to the entry in that book ?—We had no cash book in those days ; there was no cash in the place.

How then was it paid ?—In all probability by a transfer between Mrs. Ross and the Hudson Bay Company, and the Land Office.

Then she paid nothing at all to the Land Office ?—She has paid £99 ; this is shown in our annua- reports, in all the office books, and in the Hudson Bay Company's account with the Home Government.

Who surveyed section 68 ?—I did.

Its size ?—351-1 acres.

How much rock and swamp, and its position ?—230 73-100 acres of rock, and swamp situated all over the property ; in fact it is very little but rock and swamp, extending from N. E. to S. W.

When was the section sold, and to whom ?—In 1856, to J. D. Pemberton.

Is it paid for, and how ?—Paid in full, by instalments.

Date of first instalment ?—April, 1859 ; £28 16 10.

Date of second instalment ?—July 18th, 1861 ; £28 16 10.

How much is paid ?—I have told you already ; it was paid for in full.

Who surveyed section 22 ?—I did.

Its size ?—264 acres.

How much rock and swamp is allowed, and its position ?—59 acres of rock and swamp, rock chiefly, at S. E. end, and swamp at the head of Shoal Bay. First instalment paid May 24th, 1858, but sold, and occupied before then.

Who was it sold to ?—Mr. McNeil.

Amount of first instalment ?—£22 10s. 2d.

Second instalment ?—March 3rd, 1860.

Any more payments to make ?—No.

Who surveyed section 73 ?—I did.

Its size ?—204½ acres.

How much rock and swamp is allowed, and its position ?—133.37 acres of rock and swamp. The rock covers the entire East and South boundary.

It was sold in May 24th, 1858, to J. D. Pemberton, and was paid for in full by instalments ?

Who received the cash, and where is it entered ?—It is entered precisely the same as the other.

When did you begin to keep a cash book ?—I think in 1856 or 1857.

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When was the last instalment on this land paid ?—July 17th, 1862.

I wish to ascertain whether the books are correctly kept ?—As they ought to be in a grocer's shop, but not where a man has been educated for an engineer.

(Witness produced the cash book, and read from it the instalment paid on July 17th, 1862.)

Is there anything to pay on this land ?—Nothing.

Was it ever a public reserve ?—No.

Who surveyed section 23 ; and its size ?—I did ; it is 270.1 acres.

How much rock and swamp ?—177.36 100ths acres ; the rock is all over the Eastern and Western parts. All these swamps extend from the S. E. corner to the centre of the N. E. boundary ; this section was never a public reserve, it was sold May 24th, 1858.

When was the first instalment paid ?—May 24th, 1858, £22 10s. 2d. ; and the second instalment March 3rd, 1863, £22 10s. 2d.

Who surveyed section 74 ?—I did ; it was part of what was called the Governor's reserve, its size is 177.35 acres ; of rock and swamp there is 85.85 100th.

How is the rock and swamp situate ?—The most of rock is in the centre, also a great deal on the north side.

To whom sold, and how paid ?—It was sold May 8th, 1857, to J. D. Pemberton, and paid in full by instalments ; first instalment, May 8th, 1857, £22 ; second do, June 8th, 1859, £22 2s. 6d.

Who surveyed section 75 ?—I did.

Was it ever a reserve ?—It was a portion of same reserve, it is 193.28 100th acres.

How much rock and swamp, and its position ?—92 acres of rock and swamp scattered all over.

When was the section sold, and to whom ?—To myself, B. W. Pearse.

Is it paid for, and how ?—It is, in full. First instalment, May 8th, 1857, £22 15 ; second amount with interest, June 5th, 1859.

Who surveyed section 76 ?—I did.

Was it ever a reserve ?—It was part of the same reserve.

Its size ?—147.4-10 acres ; of which 43.4-10 acres are rock, which is considerably under the real amount.

By Mr. Ridge.

Who surveyed the rock and swamp ?—I surveyed, or rather paced it, we did not survey it in those days.

By Mr. Duncan.

Who was it sold to ?—B. W. Pearse, on May 25th, 1858, and first instalment paid of £25 ; second instalment, with interest, on August 6th, 1861.

Who surveyed section 25 ?—I did.

Was this ever a reserve ?—No.

Its size ?—106, 4, 10 acres, there was no rock and swamp allowed, because it was sold before the instructions were given.

When was it sold ?—January 10, 1854, a payment was made on account, it was occupied before it was sold to Modeste Demers.

How was it paid for ?—£62 10s. 0d. on account, and balance £42 10s. 0d. on August 9, 1860.

Who receieved this cash ?—The Surveyor General received the first, which was a transfer ; I received the second in cash, without interest.

Who surveyed section 48 ?—I did.

Was it a reserve ?—No.

Its size ?—170, 8, 100 acres, 85 of which were rock and swamp ; it extends from the north-east to the south-east, it was sold August 10, 1856 to R. Tait ; it is paid in full, the first instalment at sale, the balance paid with interest.

Who surveyed section 18 ?—I did.

What is its size ?—It is entered on our books as 12. 12 acres, but the entry is not carried out, so that I am not quite sure of the amount, it is very nearly that more or less.

Is this section sold ?—I don't know.

Then you cannot say, if it is paid for ?—No ; it is not jumpable, nevertheless.

When was it first surveyed ?—At different times, it is not possible for me to name them, the complete survey was made from time to time, from 1851, downward to 1859.

What is the present condition, as regards ownership of lot 18 ?—It belongs to the Fur Trade branch of the Hudson Bay Company, and was conveyed to them by deed of Her Majesty's Government.

At what date ?—I really cannot say.

Who surveyed section 3 ?—I did, its size is 103 acres, no rock or swamp allowed, it was sold on Janury 20, 1852, to R. Finlayson. It was paid for in full at date of sale.

Who surveyed section 46 ?—I did.

What is its size ?—57 acres, of which 47 acres are allowed for rock and swamp scattered all over it.

When was it sold ?—August 29, 1856, to Isabella Ross, and paid for in full at date of sale.

Who surveyed section 47 ?—I did, its size is 55, 68, 100 acres, of which 36. 12. 100 acres are allowed for rock and swamp ; it was sold May 24, 1858, to J. D Pemberton, and paid for by instalments ; 1st instalment paid on May 24, 1858, £4 12s. 9½d.—2nd instalment March 3, 1860, £4 12s. 9d. and interest.

Was there ever a reserve of any kind ?—No.

Who surveyed section 70 ?—I did.

Its size ?—It is entered on our books ten acres. It is not sold at all.

Is it a Reserve ?—I can't say, it is entered on the books as Victoria District School ground.

Who surveyed section 6 ?—Mr. Pemberton.

Its size ?—12 acres.

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When was it surveyed?—I believe in 1851.
Is it sold?—It is to James Douglas, and was paid in the sum of £12, December 15, 1851.
Who surveyed section 1 D?—I did.
Its size?—68 acres, of which 60 are rock and swamp; it was sold on August 1, 1856, to James Douglas; it was paid for by instalments, the 1st being paid at date of sale, £4 7s, 6d.—2nd instalment October 2, 1856.
Was this ever a Reserve?—Yes, a part of the so called Governor's Reserve.
Who surveyed section 1 C?—I believe I did,
Its size?—30 acres of which 11 acres are all owed for rock and swamp, it was sold August 1, 1856, to James Douglas; it was paid for by instalments, the first being paid at date of sale, £4 7s. 6d. Second instalment, October 1, 1856 £13 2s. 6d.
Who surveyed section 28?—I did.
Its size?—186, 8, 10 acres, of which 32, 8, 10 acres of rock and swamp are allowed; it was sold in the end of 1857 to John Tod; it was paid for by instalments; the first, August 19, 1858, £37, the balance on August 13, 1860. £114 14s. 0d.
Who surveyed section 61?—I did.
Its size?—172, 35. 100, of which 23, 35, 100 acres were rock and swamp; it was paid for in full by instalments by John Tod.
Who surveyed section 2?—I did, it contains 109, 60, 100 acres, no rock and swamp; sold to John Tod, all paid up.
Who surveyed section 31?—I did-
Its size?—I,118 acres. no rock and swamp allowed.
When was it sold?—I can't tell, it was not sold by us at all.
When was it surveyed?—I can't tell, I think in 1856.
Then the whole of the section is unpaid for?—So far as I know.
Who claims the ownership of this?—The Hudson Bay Company.
Are they in possession of?—They are.
Who surveyed section 44?—I did.
Was it ever a Reserve?—No.
What was its size?—1162 acres, 312 acres were allowed for rock and swamp.
When was it sold?—Early in 1858.
Have you a book in which you enter the sales of land?—That requires explanation; in early days there were very few people here, and all were well known to each other; a person would come into the Land Office and say, "I'll take such and such a section, will you have it laid out for me?" As soon as we were able we did so, and called on him for a payment; in this way land was often occupied long before it was surveyed. This (section 44) land, on account of a pressure of business in the land office, was not surveyed till late in 1858; the first instalment, £210, being paid in June, 1858, second instalment, £210, was paid in July, 1858, 3rd, £210 and interest, March 3rd, 1859; 4th do., February 11th, 1863, £210, and £49 interest.
Who purchased it?—J. W. McKay.
Who surveyed section 26?—I did, its size is 88 acres, of 4 acres are allowed for rock and swamp.
When was it sold?—I can hardly say, the instalment was paid June 30th, 1860.
There is then nothing to pay on it, to whom was it sold?—To James and George Deans.
Who surveyed section 8, A?—I did, it contains 46½ acres, no rock and swamp allowed. It was sold to R. J. Staines, and paid for.
Who surveyed section 29?—I did. It is 229 acres, of which 40 acres are allowed as rock and swamp, it was sold to John Ross. First instalment was paid June 26th, 1858, £50; last in September 6th 1860, £33 15s.
The Committee here adjourned until 11 A. M., to-morrow.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, December 17th, 1863.—Present: Dr. Trimble, Chairman, Mr. Duncan, Dr. Tolmie, Mr DeCosmos, Col. Foster.
Mr. W. B. Pearse was further examined.
By Mr. Duncan.
Who surveyed section 59?—I did, its actual extent is 123 acres, 88 acres of rock and swamp allowed for. It was sold May 24th, 1858, to J. D. Pemberton, and is all paid for, by instalments; the first was paid May 24th, 1858, £10 15s. 4d.; the second, March 3rd, 1860.
Section 4?—I surveyed it; it contains 823 acres, that acreage includes section 5, the amount of rock and swamp is 125 acres. The first instalment was paid Aug., 1852, by the late John Work; there is nothing due, it was paid by a transfer to Hudson Bay Company.
Section 7 D?—I surveyed it; it contains 72 acres, that is sections 7 and 7 D together; there is no allowance for rock and swamp. It was paid for March 15th, 1852, in full, by W. F. Tolmie, by a bill on the Hudson Bay Company.
Section 63?—Contains 53 acres, 9 are allowed for rock, etc.; sold early in 1857, to W. F. Tolmie. Paid in full.
By Dr. Tolmie,
Do you know the date of instructions received from the Hudson Bay Company in London, of the sale of the government and other reserves?—The clergy reserve was ordered by the Hudson Bay Company, in London, in October, 1855; the Governor's reserve was ordered by the same Company, and also the sanction of the Home Government, on the 23rd May, 1856.
By Mr. Duncan.
Who surveyed section 42?—I did, it contains 110 acres, 35 allowed for rock and swamp. Paid in full, June 6th, 1857, by the late John Work.

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Section 43 ?—It contains 100 acres, no allowance for rock and swamp. It was paid for October 6th, 1857, by John Work ; this was part of the so-called clergy reserve.

Section 11 ?—It contains 87½ acres, there is no rock or swamp allowed for ; sold to James Yates.

Sections between 7 11 ?—Contains 86½ acres, no rock or swamp ; first instalment paid 15th July, 1856, £31 5s. 11d., 2nd, 1st September, 1856, by Mr. Webster, by authority of Mr. Gliddon. There is now nothing to pay.

Section 12 ?—It contains 117 acres, no rock and swamp. Paid in full, August 1, 1853, by James Yates.

Section 13 ?—Contains 31 acres, no rock and swamp. Sold to J. F. Kennedy.

Section 15 ?—Contains 57½ acres, contains no rock or swamp ; sold to G. F. Hawkin.

Section 18 ?—Contains 29 acres, no allowance for rock and swamp ; sold in 1853, or 1854, but not paid for in full until February, 1859, by John Lemon ; he paid £20 for it, but the money was afterwards refunded by order of His Excellency.

Section 20 ?—Contains 42 acres, 3 acres allowed for rock, 1½ acres for river ; all paid for, July 12th, 1858, by J. Greenwood, but it was entered in James Yates' name, as assignee.

Who surveyed section 21 ?—I did ; it contains 215 acres, allowances nothing ; this land was sold to the Puget Sound Company, the date I cannot say, we have a letter instructing us that this was paid for by the Puget Sound Company to the Hudson Bay Company in London.

Section 16 ?—Contains 200 acres, allowance for rock, swamp, and roads, 140 acres ; it was paid for in full on 28th June, 1862, by G. McKenzie.

Section 79 ?—Contains 175½ acres, 65 acres rock and swamp allowed ; the first instalment was paid on July 3rd, 1858, part of the 3rd and 4th are still owing, with interest.

Section 78 ?—Surveyed in 1857, and contains 140 acres, no rock or swamp allowed ; the first instalment of £35, was paid July 3rd, 1858, there is the difference or balance yet to pay on the 3rd and 4th instalments, amounting to £35, without interest. It was sold to Robert Anderson.

When was section 77 surveyed ?—In 1858, it contains 94 acres, no rock or swamp allowed. It was paid for in full, July 9th, 1858, by J. Sebastian Helmcken, I think by bill on the Hudson Bay Company.

When was section 88 surveyed ?—In 1858, it contains 23 acres, no rock or swamp allowed ; it has not been sold. It, according to my books, belongs to the Victoria District Church grant

When was section 80 surveyed ?—In 1852 or 1853, it contains 79 acres, no rock or swamp allowed; it was granted to Jean Baptiste Jollibay, by order of the Governor.

When was section 15 surveyed ?—It contains 30 acres, it was sold to J. F. Kennedy, January 12th, 1857.

When was section 81 surveyed ?—It contains 108 acres, 5 acres allowed for rock and swamp ; it was paid for March 26th, 1858.

When was section 14 surveyed ?—Early in 1852, it contains 154 acres, no rock and swamp allowed ; it was paid for by Mr. Yates, in full on 1st August. 1852, by bill from J. F. Kennedy, on Hudson Bay Company.

When was section 50 surveyed ?—I believe in 1857, it contains 168 acres, 6 allowed for rock ; first instalment was paid in June, 1858, the 2nd, July 16th, 1860. All is paid, it belongs to Kenneth McKenzie ; I believe it was paid in cash.

When was section 49 surveyed ?—In 1856, it contains 213 acres, 72 acres of rock and swamp allowed ; the first instalment was paid September 1st, 1856, £24 10s.; the second, September 1st, 1858. All is paid, the purchaser was Kenneth McKenzie, he paid in cash.

When was section 64 surveyed ?—In 1857 ; it contains 244 acres, 110 acres rock and swamp, and 6 of lake allowed. The first instalment was paid May 19th, 1859. Kenneth McKenzie was the purchaser.

When was section 82 surveyed ?—I think at the same time, it contains 221 acres, no rock or swamp allowed. The first instalment was paid Feb. 3rd, 1859, the second do, June 24th, 1860. All paid up.

When was Section 65 surveyed ?—In 1857, it contains 312 acres, 153 acres, of rock, and swamp allowed, it was paid in full April 27th, 1857 by K. Van Alman.

When was Section 66 surveyed ?—At the same time, it contains 266 acres. 77 acres of rock, and swamp, it is paid in full.

When was section 51 Surveyed ?—About 1587, or the latter end of 1856, it contains 338 acres, 95 acres are allowod for rock, and swamp, it was paid for by George Blenkinsop in full, by an order on the Hudson Bay Company.

When was Section 32 surveyed ?—In 1854 or 1855, (North Diary) it contains 723 acres, no rock or swamp, allowed, it is not sold, it is in possession of the Hudson Bay Company, it is subdivided, our books do not show this, as we have nothing to do with it.

What is the acreage of the Government reserve at mount Douglas ?—245 Acres in Victoria district, it is for a Public Park.

When was Section 85 surveyed ?—It never was surveyed, it is sold to Samuel Horn, it is 64½ acres, he paid in full for 60 acres.

When was Section 17 surveyed ?—In 1852, it contains 100 acres, no rock or swamp allowed, it was paid for in full by James Todd, August 1st, 1852.

When was Section 67 surveyed ?—I believe in 1857, it contains 113½ acres, 3½ acres allowed for rock and swamp ; the first instalment was paid for January, 1857 ; the second, November 24th, 1862. All paid up.

When was section 84 surveyed ?—I believe early in 1859, or late the previous year ; it contains 276 acres, no allowance made. The first instalment, February 3rd, 1859, nothing more to pay. Charles Dodd purchased it, and paid by a bill on the Hudson Bay Company.

When was section 85 surveyed ?—I think at the latter end of 1858 or 1859; It contains 236½ acres, 51 acres allowed for rock and swamp ; it was sold in 1857, but not surveyed or paid for until 1859 ; the late John Work purchased it, and paid in full, by an order on the Hudson Bay.

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Section 45?—It contains 177 acres, no allowance for reck or swamp; it was sold in 1857 or 1858 to the late John Work, and paid for in full by an order on the Hudson Bay Company.

What is the extent of section 52?—Surveyed in 1857, and contains 100½ acres, 5 acres allowed for rock and swamp; it was paid for April 17th, 1857 by James Todd.

Describe section 54?—It contains 128 acres, 28 acres allowed for rock and swamp, all paid for by Robert Scott.

Section 53?—It contains 125 acres, no rock or swamp allowed, purchased by Robert Scott, nothing more to pay on it.

Section 55?—It contains 176 acres, 40 acres rock and swamp allowed, balance of the 3rd, the whole of the 4th instalment, with interest are unpaid; Peter Merriman is the purchaser.

Section 86?—It contains 86 acres, 20 acres are allowed for rock and swamp; there is the interest on the 3rd, the instalment and interest amounting to £25 to pay yet; Peter Merriman was the purchaser.

Was section 57.86 acres?—Allowed for rock ten acres, nothing to pay.

When was section 58 surveyed?—It contains 112 acres, no allowance for rock and swamp; it was paid for February 1859, there is the balance of the 2nd, 3rd and 4th instalments with interest, amounting to £91 to pay.

Section 59?—Contains 58 acres, no rock, sold to Charles Gallion.

Section 60?—25 acres, rock 7 acres, paid in full by Charles Gallion.

Section 71?—Contains 26 acres, no rock; paid for January 12th, 1858; nothing more to pay.

Section 72?—Contains 27 acres, no allowance for rock, paid in full; sold to Edward Bates.

Section 41?—Contains 130 acres, 22 acres rock and swamp; first instalment paid April 20, 1857, all now paid.

Section 40?—Contains 122 acres, rock 15 acres; paid for in full by John Swanson, by instalments.

Section 39?—Contains 87 acres, rock 28½ acres; paid for in full by John Swanson, by bill on the Hudson Bay Company.

Section 38?—87 acres, 28 acres of rock; paid for in full by the late John Work.

Section 37?—Contains 86 acres, rock 42 acres; paid for in full by the late John Work, by bill on the Hudson Bay Company.

Section 36?—Contains 85¼ acres, 37 acres rock; paid for in full October 1857, by the late John Work.

Section 35?—Contains 85 acres, 21 acres rock, paid for in full by the original purchaser, J. McDougall, I think it was paid in cash.

Section 34?—Contains 92 acres, no rock allowed; sold April I. 1856; paid for in full by William Foote.

By Dr. Tolmie.

Please Mr. Pearse, turn to your books, and show the entry of the quantity of rock and swamp in the Albert Head Saw Mill Company's land, and tell us by whom it was estimated?—This is a very grave question, and I should like to go into this matter more fully; serious charges have been made against an absent gentleman, which I believe I can thoroughly refute, and I am anxious to have the whole truth laid before the public without delay.

By the Chairman.

Will you furnish us with a written return of the sales of land in the remaining districts?—I will.

The Committee adjourned until to-morrow, at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, December 18th, 1863.—Present, Dr. Trimble, Mr. DeCosmos, Mr. Ridge, Mr. Duncan, Mr. Tolmie.

W. B. Pearse further examined.

By Mr. Ridge.

Mr. Homfray stated that while in the Land Office, he was in the habit of marking, in his field book and map, the quantity of land and rock in each section, did he do so, in case of the Esquimalt District?—Judging from his own evidence, I should say he did not.

By Mr. De Cosmos.

What evidence do you refer to?—To his evidence as published in the COLONIST.

By Mr. De Cosmos,

We do not recognize any reports but those taken by the Clerk of the Committee.

By Mr. Ridge.

Do you know if Mr. Homfray had any note of his survey?—I presume he had, but in 1860, when I was Assistant Surveyor General, and had occasion to resell this particular land, I wrote Mr. Homfray, asking him to furnish me a copy, or the original of the field notes. Mr. Pearse here read his letter, and the answer of Mr. Homfray, as follows.

[Copy]

LAND OFFICE,
Victoria, V. I., March 24th, 1860.

SIR,—I have the honor to make an official application for a copy, or the original of the field notes, taken on the Esquimalt survey, made during the month of August. and late in the year 1858; for the past 8½ years, the rule of this office has been to leave the original notes as a record, and as you were then attached to this office, and your whole expense, and pay borne by this office, you can clearly have no claim whatever to retain those notes in your possession. For, supposing your engagement had been terminated immediately on the completion of the survey, and you had refused to give up the notes thereof, it is manifest that the whole expenditure would have been useless to any body but yourself. Hoping yon will accede to so just a claim,

I have, etc.,

(Signed) W. B. PEARSE,
(For Col. Secy.)

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[Copy]

VICTORIA, March 26th, 1860.

SIR,—I had the honor of receiving your communication of the 24th ultimo, and in reply would state that I have never, during the twelve months I was in the Land Office, been made aware of the existence of any rules, or regulations whatsoever governing that departmeut, nor did I, from my own observations while there, for one moment imagine that any existed ; if such had been the case, it certainly should have been the duty of the Land Department, to have made that fact clearly understood by its officials at the first. Neither was I told on being dismissed, that such and such things were expected. And it does seem singular, after having left the Land Office 12 months, a demand should be made on me for the first time, to give up certain field notes taken by me, said to belong to the Land Office ; until now I had never heard of the field notes being the property of any other person than the surveyor ; the maps alone being the official records. Every field-man having a different mode of keeping his notes, nearly always unintelligible to any one but himself, giving one no idea of the figures, or extent of the country, and of no value to any one who does not understand them ; they must be useless as records, where a perfect map exists which has been compiled from them, and I assure you, before I have never been called on, during the course of my professional career, (and I have seen some service) to give up that which every engineer holds sacred, viz., his notes taken in the field, and I have still in my possession the originals, and only copies of all I ever did.

I have the honor to be,
Sir,
Your obedient Servant,

(Signed) ROBT. HOMFRAY, C. E.

By the Chairman.

Did you make any verbal applicaton for those notes, prior to writing the official letter to Mr. Homfray ?—I believe not.

Did Mr. Homfray make a map of this survey ?—He did.

What quantity of rock does his map show on the Albert Head property ?—158 acres of rock.

What quantity of land has the Albert Head Saw Mill Company ?—755. 82-100 acres.

Do you remember Mr. Pemberton asking Mr. Homfray to increase the quantity of rock in the said land ?—I do not.

Who drew up the instalment paper of the said Albert Head Company ?—Mr. Homfray himself, I submit this record to the Committee, which is in Mr. Homfray's writing, and it is the only writing of his in the books, to show that Mr. Homfray did not refuse to increase the amount of rock, or if he did refuse, he nevertheless did it, as he marked the estimate of 391 acres for road, rock, and swamp in the total of 755. 82-I00 acres.

Who generally drew up those papers ?—I did.

Who generally made the surveys on which these papers were based ?—I did.

How were the calculations made as to rock and swamp ?—In the particular circumstances of the Colony at that time, they were made in the most liberal manner ; settlers came few and far between and when one did come, it was not unusual for either the Surveyor General to furnish him a horse and ride about for days together, to induce him to take a piece of land, and when it was taken as soon as the business of the office would allow, a survey was made of the boundary line, and an estimate made by pacing, and compass bearings of the quantity of rock and unavailable farming land, usually termed rock and swamp.

What object do you think Mr. Homfray could have had in making these charges against the Surveyor General ?—I say it advisedly and with sorrow, that his only object must have been personal animosity.

What was your opinion of the way in which Mr. Homfray did his duty ?—I consider it my duty to answer this, and I must say, that he was very deficient in zeal ; on this very occasion, he was ordered on a certain day to proceed to Esquimalt, and he did not proceed, making some trivial excuse ; he was urged repeatedly for some days to go ; at last, I said to him, and in a friendly manner : "why do you not go ?" he said, there is a Philharmonic meeting coming off, and I have to play the flute.

Were you the Senior Assistant in the Land Office, and did you carry out the details of the Department ?—I did.

Do you recollect any altercation between yourself and Mr. Pemberton, about dispossessing the French Canadians of their lots ?—I do not.

Did you ever refuse to obey his official orders ?—No.

How long have you known Mr. Pemberton officially ?—Since 1851.

Did you ever say, this state of things cannot go on much longer ?—Positively I did not.

Can you explain which land Mr. Homfray refers to, when he says : "Mr. Dallas' name was put on, and then erased ?"—The lands to which that question refers are situate in Esquimalt District, and are thus numbered on the official map : Section 72, 208, 32-100. Section 73, 100 acres, 50 acres rock and swamp. Section 74, 100 acres, same allowance. Section 75, 100 acres, 50 acres rock. Section 68, 100 acres, 25 acres rock. Section 60. 100, 50 acres rock. Section 70, 100 acres, no allowance. Section 71, 100 acres, no allowance. Section 36, 108 acres. Section 37, 102. 4-10 acres. Total 1118 72-100 acres, total deduction 225 acres ; chargeable 893. 72.20 acres of very poor land, except the prairie. The land was sold to Mr. Dallas, in a *bona-fide* manner, in the way I described yesterday. We knew each other, and a man's word was as good as his bond. The land selected by a man, was marked "sold," and so regarded by the Surveyor General ; in proof of this, I submit to the Chair, the original instalment paper, and you will see, that is marked "cancelled," on this paper. The land was originally sold in 1858, but from want of Surveyors, and pressure of business, a survey was not made until made by Mr. Homfray ; in further proof of this, I will read another letter in reference to certain charges made against Mr. Pemberton by Captain Gossett, which I was enabled to refute.

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[COPY.]

LAND OFFICE,
Victoria, V. I., March 23, 1860.

L. LOWENBERG, ESQ.,

SIR—A short time ago you mentioned in conversation, that certain lands, situate in Esquimalt District, a list of which is appended hereto, had been offered by you for sale. Certain circumstances have transpired, which render it important on the part of the Land Office, to collect all information relating to these lands; I shall therefore feel obliged if you will, at your earliest convenience, furnish me with any information you may possess on the subject. List of lands referred to, section 36 and 37. Sections 68, 69, 70, 71, 72, 73, 74, 75. Total contents 1118. 72-100 acres.

I have the honour to be, Sir, Your Most Obdient Servant,

(Signed) B. W. PEARSE,
Acting Colonial Surveyor.

For J. D. Pemberton, Colonial Surveyor.

[COPY.]

VICTORIA, March 24, 1860.

SIR—In reply to your note of yesterday, asking for some information in regard to the sections of land in the Esquimalt District, viz.: 36, 37, 68, 69, 70, 71, 72, 73, 74, 75, I beg to state that I learned last year (about July or August) that they were the property of A. G. Dallas, Esq. Having had at the time a chance of negotiating a sale of part of these same mentioned lands, I went to Mr. Dallas, who told me that "if I had an offer above the cost price to make," he would be open to negotiation; he furnished me then with a list of the above named sections. Since then, I had once or twice occasion to mention the same subject to him, without though effecting a sale of it. About three months ago, hering that Mr. Dallas, out of some reason or other, had not taken these lands, and that they were in the market at Government prices, I selected three sections thereon for myself. These are all the informations I can give you on the subject; not knowing the reasons you might have for your enquiry, I have no objection of using the same in any way you may think proper, and command my services further if necessary.

I am, Sir, Your Obedient Servant,

(Signed) L. LOWENBERG.

To B. W. Pearse, Acting Colonial Surveyor.

I think Mr. Chairman you will allow that this proves my case, that the land mentioned was sold absolutely. and in good faith by the Surveyor General, and afterwards repudiated.

When did Mr. Dallas repudiate the purchase?—The instalment paper is dated January, I859, it was at that time application was made for the money, and refused; of course he had no alternative but to resell the land.

Did this repudiation cause any loss to the revenue?—No, the land was sold at precisely the same price, and with the same allowance as above.

Then you are prepared to swear most solemnly that no one in this office was ordered to write "sold," on these sections referred to, for the purpose of fraud, or favoritism?—I do state most solemnly.

Were there any difficulties to settlers in getting lands, during the excitement of 1858?—Yes

Can you give a good reason for it?—I can, the gold excitement of 1858, came upon the authorities generally, and the Land Office in particular, unexpectedly; the department consisted then of the Surveyor General and myself. It was no unusual thing for two steamers to come in on one day, on one occasion with 1,500 passengers each. Most of these were men who wished to invest in lands in the town and country, chiefly in the former; it was utterly impossible to satisfy them by carrying on the surveys as fast as the land was sold. I recollect one day, in May or June, A. M., the old fort was filled with people, who remained there till ten o'clock, when the office opened. We placed two large strong sentries, to let the public in gradually; on that day we received (I speak from memory) $30,000 for town lots in Victoria. It was impossible that the surveys could be pushed on fast enough to satisfy the purchasers; the partial survey of the town extended from the water to Government street, and East and North of that had to be subsequently surveyed, and that very quickly. Under these circumstances it was thought advisable to suspend the sale of country lands, so that intending settlers might not be driven away to the rival towns of Whatcom and Bellingham Bay.

Can you give the committee any information on the French Canadian lots on Humboldt street?—Yes, these lots were situate on the North, or Church Hill side of the street; they were originally occupied by French Canadians, some of whom paid for them; they were all, I have heard, promised the lots on the South side of the street, for gardens; it was entirely an act of kindness on the part of the Hudson Bay Company, to allow them to occupy these lots as gardens; when land became valuable, some of them still claimed them. on the ground, I presume, of occupancy. So far as I can remember, they were promised them as garden lots, I recollect once or twice telling some of them that they would not be allowed to build on them, but occupy them as gardens.

When did the Albert Head Company take possession of their land?—To the best of my recollection, in 1854.

Did they do so in accordance with the usual system?—They did; and there are many landowners here who occupied their lands from one month to two years, before being called on for a payment.

What allowance for rock and swamp was made the Albert Head Company?—They bought 755.82 100th acres, for which they were to pay £359 16s. 4d.; the first instalment was £90, paid for non-payment of their instalments. Sections 50, 52, 42, 43, 57, 58, 59, were forfeited, and offered at auction, on December 13th, 186I; not a bad proof that the land was not very valuable.

By Mr. De Cosmos.

What is the total number of acres forfeited?—541.47 I00th acres.

By Mr. Ridge.

Who bought those forfeited lands?—Section 50, by L. Franklin, at $I 05 per acre, paid in full.

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Section 52, sold to same at $1 per acre, paid in full. Section 43, sold to same, at $1 per acre, paid in full. Sections 57, 58, 59, offered and not sold.

Who was the auctioneer ?—I don't remember ; I think it was Mr. Cochrane.

From a remark made by Mr. Homfray, do you think that if Mr. Homfray had been at the head of the department, things would have been better managed ?—I say advisedly, that I think the survey of the town might possibly by this time, have extended to Douglas street.

Can you give any reason for thinking thus ?—My opinion is founded on my experience of Mr. H.'s zeal and energy, as displayed in the Land Office.

I ask you solemnly to declare whether Mr. Pemberton ever reserved lands, said to be good for himself and friends, marking as "sold," on the maps, to deceive public applicants ?—I state most solemnly and distinctly, that I never knew him to be guilty of such a transaction, and if such had taken place, I must have known it, as the whole of the books and maps, from 1851, with very few exceptions, were in my handwriting.

During Mr. Homfray's connection with the Land Office, were the books in your handwriting. and in your charge ?—They were.

Can you then solemnly declare there was no tampering with the maps or books ?—I can.

In 1858, in consequence of the gold excitement, were more surveyors required ?—There were.

Was it then that Mr. Homfray was engaged ?—It was.

How was he engaged ?—Mr. Homfray, as I gather, was advised to come up by the British Consul, in San Francisco, as he was doing nothing there.

Are you aware whether this was an implied, or written authority to the Consul, to engage, or to hold out, any positive promise to Mr. H. to come here ?—I am not aware.

Could such an application have been written to Mr. Booker, without your knowledge ?—I think not.

Have you ever heard of any letter said to be written by Mr. Pemberton to the Consul, offering Mr. Homfray and Mr. Gastineau, any fixed employment in the government service, to induce them to come here ?—I know of no such letter. It could not have been written without a great oversight through a pressure of business.

Did you ever hear of the circumstance antecedent to Mr. H.'s evidence ?—No.

How was Mr. Homfray engaged ?—I believe at a monthly salary of $100.

Have you any document showing a correct idea from the Surveyor General, to Mr. Consul Booker, which is as follows :

[Copy] JULY 28th, 1860.

WILLIAM LANE BOOKER,

DEAR SIR,—I am favored with your letter of the 7th instant, and am much obliged to you for the trouble you have taken in making our requirements known. I have been exceedingly pleased with the general appearance and apparent attainments of the three first gentlemen you referred to me, viz., Messrs. Green, LaMott, and Freeman. They are about to take a contract for surveying and running lines by the mile, and are at present examining the ground.

Messrs. Gastineau and Homfray arrived yesterday, and I regret to say, seem disappointed that they did not secure an annual appointment at once. On the strength of your recommendation, I immediately offered them a contract on favorable terms, which the latter particularly declined. By the tenor of your letter I can see plainly that you take my view that gentlemen coming up must expect their advancement to be gradual, and altogether dependent upon themselves, and on circumstances. To avoid misconception, perhaps you will have the kindness to mention to gentlemen proposing to come up, that we propose to do all our surveying by contract, and at remunerative rates, either by the square mile, or by the lineal mile, when the allotment lines have to be cut; it would be as well to recommend no one to come up who has permanent occupation in San Francisco, or its neighborhood.

I remain,

Dear sir,

Yours very truly,

(Signed) JOS. D. PEMBERTON.

P. S.—I particularly thank you for the trouble you have taken on my account.

(Signed) J. D. P.

Have you a letter from Consul Booker to which the letter just read is an answer ?—I have not ; but very likely Mr. Pemberton has it among his private papers.

Do you doubt the existence of such a letter ?—There may have been such.

Mr. Homfray, in his evidence, stated that it is his opinion, that judging from his eye, Mr. Pemberton allowed you too much rock and swamp, in your own purchase of land.

Do you think it possible for any surveyor to estimate by eye, the quantity of rock and swamp in any particular section of rough bush and timber land ?—I think no one, whose opinion as a surveyor is worth a farthing, would state such a thing ; it is quite impossible. I do not think Mr. Pemberton has allowed me too much rock and swamp.

Do you believe in this matter of making your allowance of rock and swamp, that Mr. Pemberton acted uprightly, as between buyer and seller, and in accordance with the usual system ?—I do.

Was the land of any greater value than the price paid for it at the time ?—It was not ; had it been offered for re-sale, I doubt if a purchaser could have been found before 1858.

May I ask what was your object in buying that land ?—I bought it for the purpose of farming.

By the Chairman.

About the instructions given by the Land Office, from whom did the Governor receive those instructions ?—The Colonial Surveyor received them direct from the Hudson Bay Company in London.

Mr. Christian Ochsner was then examined.

Have been in the colony since July, 1857. Had applied for land at the Land Office, to Mr. Pem-

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berton, he told me there was plenty of land at Metchosin, and recommended me to go down to look at it ; this was in June or July, 1857. I did not see the map before I went down ; he told me it was unsold land, I went down and saw the land at once ; when I came back to Mr. Pemberton, and he told me the land was given away or sold to Mr. Kitson previously. Mr. Pemberton was unaware of this when he sent me down.

Did he tell you the land was unsold before you went to see ?—He did ; I was not well pleased with his answer. I also applied about the same time for land called the Company's hay swamp, in Lake District. Mr. Pemberton told me the land was not sold, but Mr. McKenzie had a pre-emption right to it for the Puget Sound Company, but I should go and look at the land, and he would speak to Mr. Dallas, or Mr. McKenzie about it ; and asked me to return in one week, and he would give me an answer. I went to him in a week, and was told that Mr. Dallas had bought 1,100 acres, comprising the very portion of land I wanted.

By Mr. DeCosmos.

Did Mr. Dallas buy that land for himself, or for the Puget Sound Company ?—That I cannot say.

By the Chairman.

Did you bring cattle to this country ?—Yes.

Did you sell these cattle ?—I did, because I could not get the land I wanted.

By Mr. Ridge.

What land have you now ?—I have 350 acres, but have bought it all, having pre-empted none. I was told at that time to go to Saanich also, but I did not, as it was too far.

Did you look after any other land ?—I also looked at other land in Lake District, but I did not wish to purchase it, as I heard there was another pre-emption right on it by Mr. Skinner, and I had been so disappointed in the first case.

The Committee here adjourned until Monday, at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, Monday, December 21, 1863.—Present, Dr. Trimble, Chairman, Mr. De Cosmos, Dr. Tolmie, Mr. Ridge, Mr. Duncan, Col. Foster.

Further examination of Mr. Pearse :

By Mr. Duncan.

Have you the map on which the amount of rock and swamp is marked in the Metchosin District ?—I have.

You stated in your evidence the other day, that Mr. Homfray did not mark the rock and swamp on his map, do you still say so ?—I do not think he has marked the whole quantity ; my reason is that there may be a great deal of rock in the centre that is not met with in running the boundary line.

Did not Mr. Homfray in his letter, in answer io your demand to give up his field notes, state that he had furnished a map showing all rocks and swamps, &c. ?—He does not state so in definite terms of course I knew there was a map existing. Mr. Homfray stated some time afterwards that he could make them out himself ; that he could not make either head or tail of them.

By the Chairman.

Is it possible to make out the notes of a Surveyor, that is, is it possible for one to read them ?—Unquestionably, if they are properly kept.

By Mr. Duncan

Did Mr. Gastineau ever tell you that the field notes were the private property of a Surveyor, and that only by paying for them you could have them, and that that fact had been decided in a Court of law in England ?—In the case of Mr. Homfray, I am not at all sure that payment would have been refused had he furnished copies of the field notes.

In your evidence you have said that Mr. Homfray's map shows 158 acres of rock and swamp in the Albert Head property ; are you positive of this ?—The quantity shown on the map was taken out by my assistant and I believe it to be corect.

You say you do not remember Mr. Pemberton telling Mr. Homfray to increase the amount of rock, etc., on the Saanich property. Were you present at the time ?—I cannot say.

Do you think it likely that Mr. Pemberton would ask him, in the presence of a third party, such a question ?—Oh ! I think it very likely indeed.

Were you present when Mr. Homfray wrote the instalment paper of the Albert Head Property ?—I do not remember ; I think it was likely, as I was in the office two or three times.

Did not Mr. Pemberton or yourself, when any one came to buy lands in any district, get the quantities of rock and swamp, etc., from the surveyor of that district ?—I cannot say if that was the practice ; whenever a map existed that was known to be correct, it was assumed from that map, I presume.

Do you not recollect when Mr. Dallas desired Mr. Pemberton to speak to you about the Canadians giving up the lots you told him, when you originally surveyed these lots, that you informed the Canadians the lots were theirs ?—I do not ; I remember I communicated with the Canadians for the Surveyor General, with regard to the gardens, as I could speak French.

Do you not know that several of the Canadians still retain their lots in spite of the Hudson Bay Company ?—I do not know it as a fact.

Did not your statement about Mr. Dallas repudiating the 1,100 acres of land in the Esquimalt district, confirm all that Mr. Homfray had previously stated, in regard to Mr. Pemberton's ordering him to erase Mr. Dallas' name from the map ?—I think, Mr. Chairman, that is a most unfair question; I have already shown from documentary evidence, that the land was sold in perfect good faith by the Surveyor General ; that Mr. Dallas repudiated, or refused to pay for it after the land was surveyed. It was as honest a transaction as could be between man and man, as between buyer and seller, and quite in accordance with the system pursued in those days.

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Can you explain how it was that Mr. Dallas owned 1,100 acres for over 8 months, when his name did not appear in the instalment book as having paid anything on that land ?—I have answered that question, Mr. Chairman.

Is that the correct way of keeping the records of the department ?—It had been ; for this simple reason, that there were not surveyors in the colony sufficient to do the business of the Land Office.

Is that the only instance in which large tracts of land have been bought by parties, and nothing paid for them, and afterwards repudiated ?—So far as my memory serves me it is. There was an exception in the case of Captain Prevost, who bought 640 acres, and paid £160. The money was afterwards returned to him, because he did not wish to take the land, and it was unsurveyed. There was the case also of D. Bailey, and I believe his money was returned under similar circumstances to Captain Prevost's.

Were there not several amounts paid for lands in the Cowichan District ?—I believe there were ; they were tired of waiting for the survey to be completed.

Did not Mr. Dallas purchase these lands in sections ?—He did not ; he rode over the ground with the Surveyor General long before it was surveyed, and pointed out as nearly as possible the land purchased.

In these sections that Mr. Dallas repudiated, do you think there was as large an amount of rock and swamp as was allowed ?—I think there was ; I think the land for the most part, except the prairie, which is also very poor land, is of the worst possible kind.

Was the same amount of rock and swamp allowed to those who purchased, after Mr. Dallas repudiated ?—It was, I believe, excepting those lots since sold at auction. Section 72 was sold at auction, and therefore no allowance. Section 73 was sold under precisely the same terms, with the same allowance as that to Mr. Dallas. Section 74 was sold to Mr. John Arthur Peat, with the same allowance. Section 75 was sold with the same allowance, and at the same price, to Arthur Peat. Section 68 was originally sold with the same allowance, to George Robert Lawrence, as to Mr. Dallas, and forfeited, and afterwards sold at auction to Mr. Ring, at $2 25 per acre. Section 69 was sold at £1 per acre, with the same allowance as to Mr. Dallas. Section 70 was sold at £1 per acre, with the same allowance as that to Mr. Dallas, and this at a time when the adjoining land was sold at £1 per acre. The reason these lands were sold at this price, was that they were not offered at auction. On August, 1859, section 71 was sold at £1 an acre, to George Wm. Heaton. Section 36 was sold at £1 per acre, to L. Lowenberg. The total loss to the colony by Mr. Dallas repudiating the purchase of this land was about $55.

You referred to a letter of Mr. Lowenberg's, in which he stated that if he could sell this 1,100 acres for Mr. Dallas, above the market price, he was to do so ?—It is so, I believe.

By Mr. De Cosmos,

At the time Mr. Dallas took up these lands, was Mr. Pemberton bound to obey the orders of Mr. Dallas, with regard to the sales of land ?—Certainly not.

Was Mr. Pemberton bound to obey the order of any officer of the Hudson Bay Company, located in Vancouver Island, in reference to the sales of land ?—I think not, because he received his orders from the Governor and Committee in London, either directly, or through His Excellency, who communicated with Mr. Pemberton, either as Chief Factor of the Hudson Bay Company, or as the civil governor in reference to sales of land.

In what capacity did His Excellency communicate with Mr. Dallas ; as Chief Factor of the Hudson Bay Company, or as the civil governor, in reference to sales of land ?—In sales of town lots, the Surveyor General considered the Hudson Bay Company as the owners of the town site. As regards agricultural lands, the Surveyor General held, I believe, that they were crown lands held in trust by the Company, and to be sold by them for the benefit of the colony.

Up to 1859, when the Hudson Bay Company relinquished the lands, did Mr. Pemberton act as the agent of the Crown or the Company, in sales of land ?—As the agent of the Company in town lot sales. The Surveyor General held his appointment from the Governor of the colony, confirmed by the Crown.

By Mr. Duncan.

You stated that if Mr. Homfray had been at the head of the Land Office, the survey of the town would have extended to Douglas street ?—I stated that it might possibly have extended to Douglas street. I will say that I have no wish to injure Mr. Homfray, professionally or otherwise. We have always been on very good terms.

Are you competent to give that opinion ?—Certainly ; all that I have ever seen of Mr. Homfray I must say that he is a very competent engineer and surveyor ; and at the same time I must say that I think him a little wanting in zeal. I once endeavored, in the month of December, I believe, to get a surveyor to examine a survey made by Mr. Freeman, and being unsuccessful, and although my services were very much required in the Land Office, I was ordered to perform that duty, which I did. The office hours, and the work in those days were much more severe than they are now. We generally worked from 4 or 5 o'clock in the morning, till 3 or 4 in the afternoon.

By Mr. De Cosmos.

Can you turn to the first pre-emption, or documents of the first pre-emption of the Albert Head saw mill land ?—Certainly I can ; this I have before me. The record book, under the Act of 1861.

Is that the book in which pre-emptions were recorded ? Yes, from the year 1861, under the first Act ; but I find, in turning over some old memoranda, that there is this entry : 21st July, 1857, Christian Ochsner came to the Land Office about purchasing 100 acres of land, adjoining Fraser's claim, at Metchosin. Nothing definite was done in the matter ; I referred him to the Surveyor General, who was surveying at the hay swamp in that district.

Do you state that in the letter of the Governor to Mr. Pemberton, dated June 17th, 1858, that any one who purchased 640 acres, would be allowed for rock and swamp ?—I did.

What do you understand of the purchasing 640, is it that the party must pay for 640 acres ?—Yes

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I take it to mean that if a purchaser paid £160 into the Land Office, on account of that land, he would be allowed 640 acres of good land, independent of rock and swamp.

If that be the case, how is it that the Albert Head Saw Mill Co. were allowed for rock and swamp on 359 acres?—They were not. The whole content was 755 acres, and moreover, the land was sold before this regulation.

Can you turn in your book to the dates on which Mr. Finlayson paid the first instalment on that land?—He paid the first instalment on Janunry 1st, 1857, but the land was not surveyed until late in 1858.

What was the allowance for rock?—39.6 acres.

If the first instalment was paid in 1857, was that not subsequent to the order from the Governor, that no allowance should be made for rock?—No, it was not the case. The land was sold in 1854, but the instalments could not be received until the survey was complete.

By Col. Foster.

Will Mr. Pearse make out a statement for this committee, a statement of lands forfeited or repudiated, by which the colony has lost revenue, with the names of persons repudiating or forfeiting such lands; and also the names of the next succeeding purchasers, either at auction or private sale, in the Land Office, of the same lands, up to the present time, irrespective of lands purchased under the pre-emption proclamation?—I will.

By Mr. DeCosmos.

Can you give us the area of the encroachments of the Company on the boundary of Park Hill?—I will endeavor to do so.

How many pre-emptions have been filed in this office against Beckley Farm?—Two; on March 5th, rotation number, 528, George E. Nias, 25 acres, Victoria District; and on April 8, 1863, rotation number, 546, James Trimble, 50 acres, Beckley Farm, Victoria district.

Has any one attempted to file a pre-emption here against land supposed to be owned or claimed by Mr. Ring on Beckley Farm?—I really cannot say, but I will refer.

By Mr. Duncan.

Did you ever say to any of those applicants who wished to record a pre-emption against 25 and 26, that if Mr. Ring's title did not hold good, the pre-emption claim would be good?—Certainly not; I never knew it was Mr. Ring's until this moment.

By what authority were those pre-emptions held to be filed?—I cannot say; I do not know that there was any authority to file them.

By the Chairman.

And why?—Because the land proclamation, section 4, says as follows, that pre-empted lands "must be unsold, unoccupied, and unreserved."

Was it upon this ground that Mr. Cary said it was impossible?—I presume it was.

Did he say upon what ground?—I think not.

The Committee here adjourned until to-morrow, at 11 A. M.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, January 13, 1864.—Present, Dr. Trimble, Chairman, Messrs. Duncan, and De Cosmos.

[This evidence did not appear originally in the Committee Book, but has recently been inserted by Mr. Arnoup.]

Examination of Thomas Trounce:

By the Chairman.

How long have you been in the Colony?—Since July, 1858.

Have you been in the employ of the Colonial Government?—Yes.

Were you engaged by the Colonial Government?—Yes.

Do you know a piece of land between Price's warehouse and the old bridge?—Yes.

Did you macadamize that piece of ground?—Yes, I macadamized Wharf Street to the intersection of Johnson Street, and then continued the metalling to the end of the bridge.

By Mr. De Cosmos.

Following the boundary road from the intersection of Wharf and Johnson Street to the bridge?—I followed the road keeping to its width from the intersection of those streets to the bridge, that portion was not a road.

Was your intention in making the turn from the course of Wharf Street and Johnson Street to run in a direct line to the water?—Yes, but finding rock that required blasting, to save this it was taken across the lot to the water. I allude to the lot south of the bridge.

Do you not consider that piece of land at Price's warehouse and the side of the bridge, the street? No, I do not.

What reason have you for saying it was not the street?—The street was pointed out to me.

By Mr. Duncan.

Where was the original line of the gutter to run; in accordance with the said line and Johnson street, and thence to empty itself into the harbor?—It was on the south side of the bridge, but in consequence of the rock being in the way, it was taken through the box in a sewer, which is to be seen at the present day.

Have you land at the back of the Government buildings?—Yes.

From whom did you purchase it?—From the Hudson Bay Company, in 1859; the purchase was completed in May or June of that year.

By the Chairman.

Did you purchase that property from the Hudson Bay Company, supposing the property opposite was square?—I was told at the time I purchased it that it would be square.

Would you have given as much for your property if you had been told that it would not be square? I would not.

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Mr. Homfray was further examined.

By the Chairman.

Have you any further statements to make ?—I have ; I here hand in the following statement, (appended, marked A.)

By Mr. Duncan.

What proof have you that Mr. Pemberton is not a practical surveyor ?—From the careless manner in which the surveys of town and country were made.

Give us an instance ?—The fact of no dimensions being marked on the official map of the town. In many cases the lots are laid down on the map different from what they are on the ground.

This being a serious charge against Mr. Pemberton, give us an instance of his incapacity ?—The laying out of Fort street. In sections of this street, contracts were given, and parties were supposed to abide by the size of the sections ; instead of that, the works were not completed according to the sections in any way, but according to the wishes of the contractors.

What proof have you of this ?—I can see it from looking at the surface of the street, having seen the sections before.

Then it is merely a cursory view of this that leads you to think Mr. Pemberton is not a practical surveyor ?—I have already stated that in the surveys executed here they were not carried out as an ordinary surveyor would do in laying out ground, mapping, etc. I have surveyed Fort street myself for taking town lots ; I have run over lines run by Mr. Pemberton, and found them incorrect. I refer to lines run by the Land Office ; I cannot positively say that Mr. Pemberton ran the lines himself, but the surveyors employed in the Land Office have always found that the lines Mr. Pearse said he had laid down himself, were more correct than Mr. Pemberton's : in fact there was no comparison at all.

Give this committee an instance of incorrect data laid down by Mr. Pemberton ?—There is an instance on the line between Mr. Woods' and Mr. Work's, which I am running now. I am afraid to say how much ; at least 30 or 40 degrees wrong.

How do you know that Mr. Pemberton ran these lines ?—The lines were run by authority of the Land Office, by the Surveyor General, or his assistant.

Do you know any other instance in which you consider Mr. Pemberton incompetent ?—I cannot say whether Mr. Pemberton or Mr. Pearse ran the lines ; all I can say is we frequently found lines run by the Land Office incorrect.

Do not the civil engineers and surveyors in town differ very materially in their lines ?—Not very much ; not more than a foot or 15 inches.

Has not Mr. Gastineau differed from you in the survey of Fort street, and Mr. Green from both, each taking the same starting point ?—I do not think Mr. Gastineau and I ever differed in the survey of Fort street ; Mr. Green has.

By the Chairman.

Did you ever survey property for Phillips on Fort street ?—I did, and so did Mr. Gastineau ; there was no difference between us.

Was not the difference between you marked on the house, amounting to nearly three feet ?—It was merely a private mark.

Committee here adjourned till to-morrow. at A. M.

(Signed) JAMES TRIMBLE, Chairman.

(A.)

If the committee will allow me, I will make a statement in refutation of the assertions made by Mr. Pearse at his last examination. I will state that I have marked all the rock and swamp in the Esquimalt district, that was possible for a surveyor to do. With regard to my field notes, Mr. Pearse stated that he had not asked me for them, before writing that peremptory letter ; I am sorry to contradict him, but he did so on more than one occasion, and the reason I did not comply with his request was that he wanted the notes to enable a new surveyor named Hood to take up my survey, contrary to all professional usage Mr. Gastineau told him the notes were the property of the surveyor, and that it had been so decided in England, and if he wanted them he must pay for them.

Yet Mr. Pearse pretended not to recollect all this ! Again, he has said that on a certain occasion he desired me to go to finish the Esquimalt survey, and that for several days I refused, saying " I had to play the flute at the Philharmonic Society's meeting." Here, again, Mr. Pearse has said what is not correct, for I will prove that the Philharmonic Society was not in existence at that time. I now produce my diary for 1858, and the minute book of the Philharmonic Society, and you will see that the Esquimalt survey was finished, and the men paid off, on the 8th November, 1858, and the Philharmonic Society was not formed till 1859.

Mr. Pearse said that my map shows 158 acres of rock and swamp, in the Albert Head Company's land, whereas it does not show more than 80 acres. I still maintain that what I have stated in regard to the Canadians' lots did take place. My survey was completed in 1858 ; Mr. Dallas repudiated those 1,100 acres in 1860—see Pearse's letter to Lowenberg—so that he must have held that land over 1 year before he threw it up.

Mr. Pearse thought, no doubt, to astonish the committee and myself also, when he told them of the discovery he had made in finding the instalment paper of the Albert Head Company's land in my writing, but he was mistaken, for the day before Mr. Pearse's last examination, I told 2 members of this committee that I had written it ; and if you refer to my previous evidence, you will see that I said I had on one occasion only written in the instalment books, and I have since recollected the circumstance, and I also gave the chairman of this committee at the same time, a tracing of the sections Mr. Dallas repudiated, which tallied with what Mr. Pearse told the committee.

I will now state the facts about my writing that instalment paper, when Mr. Pemberton desired me to make that extravagant allowance for rock and swamp, and I refused. He took the map from

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me, and measured out the quantity of rock, etc., himself; he then handed me a paper and said "I merely want you to copy that, sir;" but before I did so, I looked over the paper, and saw that the amount of rock and swamp was materially altered, for he had now included 70 or 80 acres of the sea, and 20 or 30 acres allowance for roads, thus reducing the amount of rock and swamp by 100 acres; the gross amount being about the same as at the first. Still, he had given more rock, etc., than there really was, but I had protested against giving such quantities myself, and as he told me simply to copy them. I had no alternative, as his clerk, but obey his orders, and the whole circumstance sufficiently explains the reason of that paper being the only one in my handwriting in all their books, viz., that Mr. Pemberton was so annoyed at the stand I had taken, that he was determined, that as I had refused to give those quantities, he would make me copy the amounts he gave into the instalment book, and thus make me appear to be a party to the transaction, or else why did he not copy it himself, as he had always done?

I will now produce the correspondence (relative to Mr. Gastineau and myself coming here) between the British Consul, Mr. Booker, and Mr. Pemberton, which entirely disproves Mr. Pearse's assertion as to our having nothing to do in San Francisco.

Mr. Booker received an official letter from the Governor, saying that he required 3 or 4 civil engineers, and calling Mr. Booker's special attention to the fact, who replied thereto, and received the following letter from Mr. Pemberton:—

[COPY.] LAND OFFICE, Victoria, June 30th, 1858.

WILLIAM LANE BOOKER, ESQ.,

DEAR SIR—The Governor has just shown me a postcript to your letter of —— inst.. mentioning "properly educated Surveyors and one or two very clever who would willingly come up. I beg to state that for gentlemen really qualified and capable of undertaking field work and surveys on a large scale, and steady, *there is now an excellent opening.*"

They should be content to commence on moderate salary. I would give them every opportunity to distinguish themselves, and raise their pay in proportion as I shonld find them useful. If, as your letter would seem to imply, you have one or two gentlemen of ability in view, I should pay every attention to any letters of introduction or recommendation you might think proper to send with them. There are vacancies in the surveying department at present for six gentlemen, at least.

I remain, Dear Sir, Yours truly,

(Signed) JOSEPH D. PEMBERTON, Colonial Surveyor.

Mr. Booker gave me the following introduction to Mr. Pemberton:

[COPY.] BRITISH CONSULATE, San Francisco, 25th July, 1858.

MY DEAR SIR—Mr. Robert Homfray, whose name I mentioned in a recent letter as one of the gentlemen who would shortly go up to offer his professional services, will deliver these introductory lines to you. Mr. Homfray was for some time County Surveyor of Nevada County, a position rarely held by a foreigner, and was brought up in the office of Mr. Brunel; in company with him is a gentleman who has been acting as his assistant, whom he would like still to have associated with him. I can recommend Mr. Homfray strongly to your good offices, having known him for several years.

I am, my dear Sir, Yours very truly,

WM LANE BOOKER.

J. D. Pemberton, Esq., Surveyor General, Victoria, V. I.

When Mr. Pemberton denied having written such a letter, on our arrival here, I immediately wrote to Mr. Booker for a copy of Mr. Pemberton's letter: the following is a copy of Mr. Booker's reply accompanying Mr. Pemberton's.

BRITISH CONSULATE, San Francisco, 10th August, 1858.

MY DEAR SIR—I have to hand your letter of the 4th, and I am sorry to find that you have been unable to come to terms with Mr. Pemberton. I am not so much surprised that the salary should be only $100 per month, (every thing in the Island having heretofore been so different to what it is in California) as I am that you should have failed to meet a cordial reception. Mr. Pemberton cannot think you do not come fully up to the qualifications of "properly educated Surveyors capable of undertaking field work and surveys on a large scale," and it is therefore a matter of wonder to me that he has not given you the encouragement his letter breathes the spirit of so liberally. I do not see that I can aid you in any way, and yet I hope your services will be made availab,e. What Mr. Pemberton says in reference to myself, that I had no authority to place matters in the light I did, you can refute, having a copy of the letter, (enclosed at your request) which contains the only representation I ever made to either you or Gastineau. You will see Fraser in Victoria and it would be well to consult with him. I am without any communication from Mr. Pemberton. Remember me to Gastineau, and believe me to be,

Yours very faithfully,

(Signed) WM. LANE BOOKER.

Robert Homfray, Esq., Victoria.

Mr. Fraser, when I showed him Mr. Pemberton's letter, said: there could be no doubt about the fact that a Government situation was therein held out as an inducement to come up here and that he would see the Governor about it; he spoke to him on several occasions, and still he refused us the Government appointment, so clearly offered to us in Mr. Pemberton's letter. Is it not singular that

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no copy of this important official communication has been found in the Land office? I will ask the Committee for Mr. Pemberton's two letters to Mr. Booker, stating our arrival here, and just compare his two letters. Does he anywhere mention "contracts" in his first letter? does salary refer to contract work? What does he mean when he says he "will raise their salaries from time to time, and give them every opportunity to distinguish themselves, &c., &c." You will perceive that Mr. Booker says in his letter to me he has never received this last letter of Mr. Pemberton's, nor do I believe it was ever sent, as it is so totally at variance with the spirit of his first letter. But I think it was written for the purpose of being kept among his papers to counteract any statement either Gastineau or myself might make at any future time about this transaction. There are one or two statements which are not true in the first few lines. Mr. Booker did not send up Mr. Lamott and Mr. Freeman, and probably never saw either, and again he says he "was glad to see Mr. Booker's views on this matter exactly coincided with his own"—why, they were at total variance with each other, and instead of showing us every attention, as his letter states he would do on our arrival, every indignity was offered us, which was continued all the time we were in the Land Office. Mr. Pemberton not being a practical surveyor was afraid for his position and hence the cause of our ill-treatment, and he cannot suppose that I would have left a good business, and being largely engaged in mining, would have left an agent to manage it, if I had supposed I was coming up here to contract for surveys—a certainty for an uncertainty! Mr. Pearse said I was doing nothing in San Francisco, I was never in business there. Soon after Col. Mooody's arrival here, he sent for me to know if it were true what Mr. Booker had told him in regard to our being entrapped here, and after I had explained matters, he immediately requested me to leave the Land Office, which I did, and gave me an appointment under him in British Columbia; but to my astonishment the Governor ordered Col. Moody not to employ any more Surveyors there. The Colonel told me this himself.

I have now thoroughly refuted all the accusations brought against me by Mr. Pearse, whom I leave to the tender mercies of his friends.

COMMITTEE ROOM, Friday January 15, 1864.—Present, Dr. Trimble. Chairman, Mr. De Cosmos, and Mr. Duncan.

[This evidence did not originally appear in the Committee Book, but has been recently entered by Mr. Arnoup.]

The examination of George McKenzie:

By Mr. Duncan.

What are you?—I am a farmer.

How long have you been in the Island?—About years.

Do you live in the Saanich District?—Yes.

Did you ever apply for land at the land office, and see the map?—I did.

Was "sold" marked on it?—I do not know; I got Mr. Homfray to survey a piece of land for me.

Did you apply to the Land Office for this land?—Yes.

What did they say to you?—Mr. Pemberton told me to wait until the land got cheaper. At the time I went I had the money to pay for it. I went three or four times; at last he told me the land was sold.

When you first went to the Land Office was this land marked sold on the map?—It was not sold then.

When you applied first, was it sold?—When I went the third time, he told me it was sold. He told me to pick out a piece somewhere else

What do you suppose Mr. Pemberton could have put you off for?—I cannot tell.

Did you ever see the map upon which the land you applied for was marked sold?—No.

Is that land sold now?—I believe it is.

Who was the purchaser?—I cannot tell you; I did not make any enquiries about who bought it.

Are you positive that Mr. Pemberton told you that the land was not sold when you first applied for it?—Yes.

Was this good land?—Yes; a good piece of land.

Did you feel yourself hurt or disappointed?—Yes.

Have you ever at any time applied for land that was not sold, and been put off by the Land Office?—No.

By Mr. DeCosmos.

When did Mr. Homfray survey this land, and what year?—About 5 months ago; in 1858 or 1859.

By the Chairman.

When you applied for this piece of land, did you see the map?—Yes, I saw the map.

Was the word "sold" marked on that section you applied for?—No.

How soon did you get Mr. Homfray to survey that land?—He was down there surveying at the time, and living at the mills with me.

Did he survey that section?—Yes.

Did you pay for that survey?—No.

Did you go to the Land Office after that survey?—Yes.

Did you see Mr. Pemberton on that occasion?—Yes.

Did you see the map?—Yes, he took down the map and I asked if that piece of land was sold, pointing to that section.

Did you bring the money then, and tender it?—Yes; I offered to pay the whole, and he said, "we cannot take that." I offered also the regular instalments, but he would not receive them.

Did you apply afterwards for this piece of land?—Yes, I applied several times.

When did he tell you the land was sold?—When I went the last time.

What did he say?—What he said was, "the land is sold."

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How far from the section you applied to get is it to where you live ?—About one mile.
What is the number of the section ?—I do not know.
Did you know the section at that time ?—Yes, I knew the number.
Did you show Mr. Pemberton, on the map, the section you wanted ?—I did.
Did you know if that was part of the land that Mr. Dallas afterwards became the purchaser of ?—I am not certain.
Do you know of any other parties having purchased land contiguous to, or adjoining the section you applied for ?—No.
The Committee here adjourned until Monday next.

(Signed), JAMES TRIMBLE, Chairman.

COMMITTE ROOM, House of Assembly, 1st February, 1864.—The Crown Lands Committee met this day at 11 a. m. Present : Dr. Trimble, Chairman, Mr. DeCosmos, Mr. Duncan.
George Greenwood examined.
By Mr. Duncan.
What is your profession ?—I am a sailmaker.
Did you ever purchase land on the Island ?—Yes.
When, and how much ?—The first I got was at the corner of Government and Yates streets.
Did you ever have any land up the Arm ?—I paid the first instalment on 80 acres.
Were you put in possession of the land ?—I was.
Did you sell it ?—In 1856 or 1857, I bought 80 acres from Mr. Pemberton, adjoining the Puget Sound Land Company. Some time afterwards I met Mr. Pemberton, he said to me he " wished me to do him a favor, viz., to give him 50 acres of my land, be being short, for the Company." He said, " if you will give me that, I will give you that, or double that amount of land elsewhere." I afterwards met Mr. Pemberton, and told him that I would let him have that quantity ; and a day or two following Mr. Pearse came up and gave the lines of the survey close to my house. I paid one instalment on the 80 acres ; he had taken it (the money I paid) from the 47 acres, and put it to the 33, so that I paid two instalments upon the 33. Some time after I met Mr. Pemberton, I said to him, " Mr. Pemberton you are in my debt for the land I gave you on the Arm." He said, " George I am." I told him I wished to purchase another section. He said, " where do you wish to have it?" I told him on Dead Man's river. Some time after that he sent a letter up to my house, telling me that if I did not come down that day, and pay for the land for which I had applied, on Dead Man's River, that he could not hold it for me, as there were so many applications for it. I came down and paid him $120 for 100 acres.
After I paid him, he told me to go to Mr. Homfray, who was surveying on Dead Man's river, and he would survey the ground for me. I went to Mr. Homfray, and he surveyed it. Some few weeks afterwards, I sent in a petition to the Governor for an allowance of rock and swamp. He told me he would see Mr. Pemberton about it, and as we were old settlers together, that he would see if he could not do something for us.
The first thing I found after this was that Mr. Pemberton had sold this land for which I had paid the first instalment, and which I had had surveyed, to another man. The Governor had spoken to Mr. Pemberton, and he (Mr. Pemberton) surveyed off for me 200 acres in the Highland District, in place of the above land. I met Mr. Pearse afterwards. He told me to bring in my instalment papers for the 100 acres on Dead Man's river ; I brought them in, and gave them to Mr. Pearse, and he altered the number of the sections from that on Dead Man's river, to those in the Highland District. When I found this out, I remonstrated with him ; he told me to walk out of the office ; he told me that Mr. Pearse was in England, and he had nothing to do with it at that time. That is all the redress I ever got.
Mr. W. B. Pearse, acting Surveyor General, was then examined.
By Mr. Duncan.
Are you working up the returns of the Sooke District ?—I am.
Mr. Pearse, by permission of the Chairman, stated :
" Mr. Homfray has made a mistake in Mr. Clueston's lines. I admit, a mistake ; there is a clerical error in the book, but the angle formed by the lines in magnetic meredian, is precisely the same in the official map, and on the indenture issued to Mr. Clueston, and that no such error as 30° or 40° exists."
Mr. Pearse laid upon the table a tracing showing the N. lines of Mr. Clueston's, section V, Victoria District.
By the Chairman.
Might it not have been 4° instead of 44° ?—It might.
Mr. Pearse's examination continued.
Mr. Pearse stated :
" With regard to my evidence as to Mr. Homfray being wanting in zeal and energy, while in the Land Office, and my citing the case of his excusing himself from going on the Esquimalt survey, because he had to attend a meeting of the Philharmonic Society, I can corroborate my statement by the evidence of Mr. Tiedeman, who heard the conversation. I may have been, however, mistaken as to the time of the occurrence ; it may have been on the occasion of another survey, but of the fact I am quite clear.
The Committee then adjourned.

(Signed) JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, House of Assembly, 8th February, 1864.—The Crown Lands Committee met this day at 11 a. m. Present : Dr. Trimble, Chairman, Messrs. Duncan and DeCosmos.
Mr. W. B. Pearse, Acting Surveyor General, by permission of the Chairman, stated, in reference to the testimony given by George Greenwood before the Committee on the 1st inst. :

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" Mr. Greenwood, in his evidence, stated that he purchased 80 acres of land from the Land Office, and that he was asked to give up 47 acres of it to the Puget Sound Land Company, by Mr. Pemberton. He gave it up ; he was not compelled to do so. He was asked to do so, and agreed to the proposition.

Mr. Greenwood also states that Mr. Pemberton applied the first instalment to the 33 acres left to him, so that by this he paid twice on the same land. This statement is decidedly incorrect.

On the 11th May, 1857, Greenwood paid into the Land Office the sum of £19 10s. 0d. on a section of land. Gross quantity, 80 acres ; chargeable, 78 acres.

After the transaction mentioned, viz., giving up the 47 acres, that payment was employed in the following manner :—

First instalment on section XX	£	8	13	9
Second do.		8	13	9
Interest		2	2	6
Total		19	10	0
Balance paid 12th July, 1858	£	17	17	6
Interest		1	2	6
Total		19	0	0

Those are all the payments Mr. Greenwood made on that section, amounting in all, to £1 per acre, excluding interest, which shows that he did not pay for the land twice over. The balance mentioned above was, I believe, paid by Mr. Yates.

The second section bought by Mr. Greenwood was section XIX, Lake District, containing, gross, 200 acres ; chargeable, 100 acres. He was allowed 100 acres of rock land and swamp, by instructions from the Governor. On the 10th January, 1859, he paid £29 on that section.

Mr. Greenwood states also that after I had altered the numbers on his paper, he subsequently found out what I had done, and remonstrated with me, and that I ordered him to walk out of the office, telling him that Mr. Pemberton was in England, and that I had nothing to do with it. So far as my recollection serves me, I explained to him at the time my reasons for my having altered the numbers of the section. When he came to remonstrate he was very much excited. and I thought in liquor. I did tell him to leave the office, and to come back when he was in a proper state to talk to me.

Dr. Henry Atkinson Tuzo, of the Hudson Bay Company, was then examined.

By the Chairman.

How long have you been in Victoria ?—Since August, 1858.

How long have you been connected with the Hudson Bay Company in Vancouver Island ?—Ever since I came here.

Are you pretty well acquainted with the boundaries of Beckley Farm ?—I am, but not as a professional man.

By Mr. DeCosmos.

Do you know to whom the different sections marked on the map belong ?—I do.

Do you know to whom section XXX belongs ?—I do ; to me.

Who surveyed that section first ?—I did.

When was it first properly surveyed ?—By no one previous to myself.

When did you get your section XXX accurately surveyed ?—In the spring of 1862.

Was there any map at that time of Beckley Farm ?—Several.

Any by Mr. Green ?—Mr. Green surveyed the land anterior to Mr. Dallas' departure from the colony ; the survey and the map were made in February, 1861.

Were the plottings on the map of 1861, made by Mr. Green, those that at present exist ?—Yes.

Were any lands sold subsequently to the departure of Mr. Dallas ?—I cannot say that any were sold.

Who had charge of the sale of lands subsequent to the departure of Mr. Dallas ?—The board of management.

Who were the board of management ?—Mr. McTavish, Dr. Tolmie, and Mr. Finlayson.

How long did that board of management continue unbroken ?—I think Mr. Finlayson was in England at that time. Mr. McTavish was senior member.

Was there any member of that board of management in particular, who attended to the sales of land of Beckley Farm ?—No one in particular.

Do you recollect Bishop Hills negotiating for any land on Beckley Farm ?—Yes ; Bishop Hills was very anxious to purchase a portion of it.

Do you know of Bishop Hills wishing to purchase any other lands belongiug to the Hudson Bay Company ?—Yes ; he was anxious to buy a portion of land adjoining the school reserve.

Was there any other land in the neighborhood of Victoria, which Bishop Hills wished to purchase ?—Yes, on Beckley Farm.

Where on Beckley Farm was the land Bishop Hills wanted to buy ?—A piece that Col. Moody had, or had been promised.

Are you aware whether Bishop Hills wished to purchase a portion of Beckley Farm as a cemetery ?—I am not aware.

Were not sections XXV and XXVI once offered to Bishop Hills as a cemetery ?—I never heard.

Do you know who are the owners of sections XXV and XXVI ?—Mr. Ring owns them.

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When did he purchase that property?--In the fall of 1860, he negotiated with Mr. Dallas.

Do you know whether there were any writings made out between the Hudson Bay Company and Mr. Ring, at the time of that purchase?—I believe there were ; but I do not know positively.

Did you never hear that Mr. Ring refused to accept the offer of the land by Mr. Dallas?—No, on the contrary ; Mr. Ring told me it was his land.

When did Mr. Ring tell you that?--Before Mr. Dallas went away, in February, 1861.

From that period, has Mr. Ring continued to hold possession?--To the best of my belief, he has.

By the Chairman.

Did parties purchase these lands from Mr. Dallas, before the land was surveyed?--They purchased at the time of the survey.

Where were the town lots Mr. Ring bought?—In Tiedeman's survey.

By Mr. De Cosmos.

Who made out the deeds of this property?—I do not know.

Who was in the habit of making out the deeds or transfer of this property?—The Board of management.

Was there no Clerk for that purpose?—I do not know that there was any particular Clerk; I made them out myself sometimes, Mr. Pemberton frequently up to 1859.

Was there no Clerk besides yourself who made out these deeds?—Yes, several ; the various clerks of the Hudson Bay Company.

Do you know who made out the papers of the transfer of the land purchased by Mr. Ring?—I think Mr. Ring himself.

When was it that Mr. Ring made out these papers?—I think before Mr. Dallas went away.

By the Chairman.

Are entries made in a book at the time of purchase?—Yes, they go into the main books of the Company.

What time did you purchase section XXX?—The greater portion in the fall of 1859 ; the balance in the year following.

Can you point out on the map the 50 acres that the Hudson Bay Company reserved to themselves after according to the terms of the Indenture?—Yes, and part of it is now being fenced in.

Will you point out on the map the section belonging to Joseph McKay?—Nos. 15 and 16.

When did he buy them? - He bought them from Mr. Dallas.

Was an entry made in the books at the time?—Yes.

Are you aware of the Company having sold any part of the public Park?—Yes, I did myself, but by mistake.

Who are the various purchasers of that land?—John Morris, Mr. Munro, Col. Moody, and Mr Dallas are the parties originally holding the piece that ought to belong to the Park.

Do you hold any yourself?—I do not.

Recently some fencing has been put up on the Park, whose doing is that?—I am getting that done.

What proposition does the Hudson Bay Company make in regard to land sold by mistake?—Only to get the transaction confirmed by Her Majesty's Government.

Do they propose to return the proceeds of that land to the Imperial Government?—I do not know

By Mr. De Cosmos.

What extent of water frontage has been sold by the Company in Victoria below high water mark?—I do not know.

When did Captain Mouatt purchase the lots in front of his house?—He purchased them from Mr. Dallas.

Who transacted your business during your illness?—Several persons, just as they may have been called upon.

By Mr. Duncan.

When was No. 1694, block 56, sold? -In 1856 or 1857.

Do you know what amount of money the Hudson Bay Company received for the sale of property in Victoria?--About £30,000.

(Signed) JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, House of Assembly, February, 9, 1864.—Present, Dr. Trimble, Chairman, Mr. Dennes, Mr. Duncan, Mr. De Cosmos.

Mr. James Bissett, of the Hudson Bay Company, was examined :

By the Chairman.

How long have you resided in Victoria?—Since September, 1860.

How long have you been connected with the Hudson Bay Company?—Ever since I have been on the Island, and before that.

Did you ever purchase any property on Beckley Farm?—I did.

What sections did you purchase?—Sections 6 and 7.

How many acres?—Section 6, 6 9-10th acres ; section 7, 6 acres, I think.

When did you purchase that property?—Negotiations commenced about a month after I arrived here.

From whom did you purchase this property?—Section 6 from Mr. Hardestie ; section 7 from Mr. Dallas.

Mr. Hardestie then had purchased before from the Company?—He had.

What was the form of purchase from Mr. Dallas?—The usual one.

Was an entry made in the books of the Company at the time?—I do not know.

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Did you consider it a *bona-fide* sale at the time?—Most decidedly.

Do you know of any portion of the Beckley Farm being sold since January 1, 1862?—I do not.

Was the Beckley Farm surveyed at the time you purchased your sections?—I had to wait about a month or so, as the survey was then going on. Mr. Tiedeman was finishing the survey commenced by Mr. Green.

Who was in the habit of making out the deeds of the lands sold by the Company?—Sometimes Dr. Tuzo, sometimes others; no one is told off exclusively for that duty; if the person called on be not present, another is ordered to do it.

Is there any particular book kept of the lands sold by the Company?—There must be, though it has not come within my province to know particularly.

Do you recollect the class of maps made of Beckley Farm that were sent home?—I do not.

Do you think they were sent home by the Princess Royal in 1863?—There was a map (the final map) sent home to the Hudson Bay Company in 1863, but other maps had, I believe, gone before.

Do you know when J. McKay purchased the section of land that he holds?—About the same time that I did.

The Committee then adjourned

(Signed), JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, House of Assembly. February 10, 1864.

Mr. David Babington Ring was examined:

By the Chairman.

Did you ever purchase property on Beckley Farm?—I did.

What section or sections?—Sections 25 and 26.

In what year did you purchase?—The sale was concluded on the 14th March, 1861.

From whom did you purchase?—From the Hudson Bay Company.

By Mr. De Cosmos.

With whom did you negotiate that purchase?—With the Hudson Bay Company through Mr. Dallas, Mr. McTavish, and Dr. Tolmie.

At what date did you conclude this negotiation?—On the 14th March, 1861.

Will you inform the Committee whether Bishop Hills had not been negotiating for that land?—I do not know.

Did you never tell any one that Bishop Hills had been negotiating for it?—Never.

Do you not recollect that Bishop Hills had been negotiating for some land as a cemetery, with Mr. Dallas?—I know nothing about it.

Did you never tell any one that Bishop Hills had applied to Mr. Dallas for a piece of land on Beckley Farm, and that Bishop Hills refused to take it, and Mr. Dallas offered it to you on easy terms, and you refused to accept it?—Never.

Do you not recollect telling one or more persons belonging to the City of Victoria, in 1862, that Mr. Dallas had offered you a piece of land of 25 acres, on Beckley Farm, on easy terms, and that you refused to take it?—I do not.

Could you have had more land adjoining your sections?—I could; I could have had 10 acres, my name was down for them, but I declined taking them.

When did that occur?—About the period of the finishing of Mr. Green's map.

How long did your name remain down for the 10 acres?—I cannot say.

Can you recollect when you declined them?—I cannot; when I found that the elevation of rock in section XX, was included in that section, I declined it.

By Mr. DeCosmos.

How many acres do you own of the land commonly known as Beckley Farm?—Two sections, 27 4-5ths acres.

Did you ever negotiate with Mr. Dallas about other lands other than sections XXV and XXVI, of an area of 25 acres, in the neighborhood of Beacon Hill, or Beckley Farm?—I have no distinct recollection.

Do you not recollect meeting me on Beacon Hill in 1862, and pointing with your own hand to the Hudson Bay Company's lands, and saying to me that Mr. Dallas had offered to you 25 acres, and that you had refused to accept them?—I have not the remotest recollection.

Mr. Amor DeCosmos was then examined. Mr. DeCosmos stated:

Early in 1862, I, accidentally, whilst on horseback, met Mr. Ring on horseback, also riding on what is called Beacon Hill Park, and in the course of conversation upon various things, among others upon land, Mr. Ring voluntarily remarked, pointing with his hand towards the land bordering on the Park, that Mr. Dallas had offered him 25 acres on easy terms, and that he had refused to accept the offer. The idea conveyed to me at the time was that he was not, at the time, the owner of the 25 acres.

By the Chairman.

Do you know whether or not Mr. Ring was in possession of sections XXV and XXVI at the time of making that remark, and whether he was not alluding to other lands on Beckley Farm?—I do not know whether Mr. Ring was in possession of sections XXV and XXVI or not; all I know is that Mr. Ring referred to 25 acres of land belonging to Mr. Dallas and the Hudson Bay Company.

When this conversation took place, what distance do you suppose you were from sections XXV and XXVI?—We were close to the Grand Stand, on Beacon Hill Park.

Mr. Ring, by permission of the Chairman, stated:

As Mr. DeCosmos is so positive concerning the conversation with me on Beacon Hill, in 1862, I do not at all wish to impugn his veracity, although I have not the slightest recollection of it. That conversation may have taken place, but it had no reference to the land which I am now in possession of.

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Mr. DeCosmos stated :

Mr. Ring also made an additional remark, when he spoke about the rejection of the offer of Mr. Dallas about the 25 acres of land, that the same piece of land had been offered to Bishop Hills, or that Bishop Hills had been negotiating for that land as a cemetery.

Mr. Ring stated :

I have not the slightest recollection of even hearing that Bishop Hills had been making any such negociation. Supposing it to be admitted that what Mr. DeCosmos has stated touching the conversation with me on Beacon Hill, is accurate, any remark that I may have made touching the refusal of any offer of land made to me by Mr. Dallas, did not apply to the sections I now hold. I was then in possession of them.

The Committee then adjourned till to-morrow.

(Signed) JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, House of Assembly, 5th April, 1864.—The Committee on Crown Lands met this day at 11 a. m. Present : Dr. Trimble, Chairman, Messrs. DeCosmos and Dennes.

J. Despard Pemberton, Surveyor General of Vancouver Island, was questioned by the Chairman.

How long have you been Surveyor General of Vancouver Island ?—Since 1860 or 1861.

How long have you resided in Vancouver Island ?—Since 1851.

Did you come out to this country as Colonial Surveyor ?—I did.

From whom did you receive the appointment ?—From the Hudson Bay Company.

Did you require also the approval of the Government ?—I had no communication with the Government.

By Mr. DeCosmos.

When did your connection with the Hudson Bay Company terminate ?—In 1861.

Did not the Hudson Bay Company withdraw all their papers and maps from you, in 1859 ?—On the 1st June, 1859, the land accounts were wound up with the Hudson Bay Company.

Were not the Hudson Bay Company affairs wound up, as far as you were concerned, in February, 1859 ?—No ; the town lot business was taken off my hands in February, 1859, not the country lands. I was paid by the Hudson Bay Company up to the 1st June, 1859 ; from 1859, up to the present time by the Government.

When did you cease to receive instructions from the Hudson Bay Company, in Vancouver Island ?—I never took instructions from the Hudson Bay Company here.

When did the Hudson Bay Company act with regard to the land, without consulting Governor Douglas, with regard to the town site and country lands ?—With regard to the town site, in February, 1859 ; with regard to the country lands, the Hudson Bay Company ceased to have any jurisdiction in June, 1859.

It appears, then, that the action of Governor Douglas ceased in 1859 ?—I do not know the exact date at which Governor Douglas ceased to act for the Company.

Since your arrival in the colony, you have had the management of the surveying department of the colony ?—I have.

By Mr. DeCosmos.

Did I understand you to state that you took no orders from any person in the colony, other than Governor Douglas, in regard to lands ?—Certainly not.

Did you receive any orders between 1851 and 1859, from any one out of the colony, relative to the disposition of lands ?—Nearly all the orders I got were from Sir James Douglas, except perhaps one or two.

Do you recollect the purport of these orders, in exception you speak of ?—It was trivial.

From June, 1859, to the date of your appointment as Surveyor General of the colony, were you in the employ of the Hudson Bay Company, or of the Government ?—I presume of the colony.

During that same period, did you dispose of the lands under the orders of Sir James Douglas ?—I did.

When did Mr. Dallas first arrive on the Island ?—About 1857, I think.

When did he assume to take active part in the disposition of the lands ?—In February, 1859.

Do you recollect surveying James Bay Reserve ?—I am not sure whether I surveyed it myself, or not.

Do you recollect when it was first surveyed ?—I cannot reply to that question without referring to the maps, and I have received orders from the Colonial Secretary, that maps and books are not to be removed from the Land Office, without application being made by me, which application I have not made, because I did not know they would be required.

At whose expense are these maps and books got up ?—No doubt at the expense of the colony.

Were they paid for out of the Crown Lands, or the taxation ?—Out of the Crown Lands, I should say.

When was your salary put on the Civil List of the colony ?—When I was first gazetted.

The Committee then adjourned till 11 a. m., to-morrow.

(Signed) JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, House of Assembly, April, 6, 1864.—Present, Dr. Trimble, Chairman, Dr. Tolmie, Mr. Dennes, Col. Foster.

The Crown Lands Committee met this day at 11 15 A. M.

J. Despard Pemberton, Esq., Surveyor General of Vancouver Island, was examined :

Mr. Pemberton begged to be allowed, previous to examination, to correct a reply made by him yesterday, to a question by the Committee as to whether he had received any orders between 1851 and 1859 from any one out of the Colony relative to the disposition of lands, viz. : " that the purport of any orders he may have so received was unimportant ;" he wished now to say that some important

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orders from the Hudson Bay Company were addressed to the Colonial Surveyor direct under open cover through the Governor.

By the Chairman.

What was the purport of them?—A discretionary power was given with regard to rock and swamp.

When was this, before 1858?—Before 1858.

When did you first survey the Government Reserve on James Bay?—The first map on which the James Bay Government Reserve is marked, is one made in 1855.

Did you survey this?—No, Mr. Pearse did; I only surveyed the line between Governor Douglas' property and the Reserve.

When did Mr. Pearse survey the Reserve?—In 1855, when this map was made.

Did you survey it afterwards?—I went over it myself afterwards on account of some question arising as to some discrepancy about three years ago.

Is the Reserve now exactly the same as it was in 1855, when Mr. Pearse surveyed it?—No, it is considerably altered.

Why was the alteration made?—For the better convenience of laying out the land in streets on the west side.

Who made the alteration in the west line, and by whose authority was it done?—By my authority.

How many acres did you take off this Reserve?—The quantity still remains the same.

Why is it that the part marked Z is claimed by the Hudson Bay Company?—It is stated to be in consequence of an old fence within that line and a ditch, as well as I remember.

In 1855, what title was Sir James Douglas known, under that of Governor?—Under the title of Governor.

Was he a Chief Factor in the Hudson Bay Company when you made the alteration in the survey? He was.

Has the back line on the Government Reserve on James Bay been altered?—No, never.

Is it your opinion that the claim set up by the Hudson Bay Company to a part of that Reserve is just or not?—I do not think I am called upon to answer, the question being a legal one.

Is that part marked Z in the original survey containing 10 acres?—Yes, to the best of my belief.

When was the first line of the Reserve made?—I think in 1851, for the Governor.

When did you make these alterations in the west line?—For the purpose of making the map of 1858.

Was not the James Bay Government Reserve a wilderness in 1855, covered with willow trees and bushes?—It was.

Were there fir trees growing on it?—They were principally willows, I think.

Were the lines of this Reserve accurately defined and blazed in 1855?—To the best of my belief they were, otherwise they would not have been marked on the map.

Was not the portion of that Reserve now marked Z, on map No. 6, part of a ploughed field and under cultivation in 1855?—It was land that had been ploughed, but not under cultivation in 1855.

And the ditch and fence ran on the northern portion of the land marked Z?—Yes.

In what condition was the land on the west of the Reserve?—A wilderness also.

Was not the part marked Z, as much a part of the Hudson Bay Company's Reserve as the remaining 10 acres?—It was.

And what about the Indian Reserve?—Until 1855, it was undefined.

By Dr. Tolmie.

Was it not an extraordinary proceeding to enclose in an Indian Reserve, part of a cultivated field, when the same Reserve might have been extended westward without encroaching on any improved land?—No, it was usual to lay out the town lines without respect to the cultivated fields in the neighborhood, and at the back of the Hudson Bay Company's barns, for instance, cultivated fields were laid out for the sake of regularity and distinctness of land marks.

Was this place (the 10 acres) not known as an Indian Reserve from the date of your arrival in this Colony?—Yes.

Do you know when you arrived here what the size of the Indian Reserve was?—No, it was not defined till 1855.

When the alteration was made on the west side of the 10 acres, did you not throw some of the ten acres into what was claimed by the Hudson Bay Company?—Yes.

Will you tell me how many lots were taken off that (the west) side?—I will give the Committee the calculation at their next meeting.

Did you take in as much behind as you did before?—As much was taken in on the west side as was left out by the change of position of the west line.

When was the agreement entered into between Governor Douglas and the Indians, in regard to these 10 acres?—I believe before I came to the Island.

Was that a written agreement?—I believe there is a writing; an Indian Treaty.

Have you any idea of the nature of it?—I have never seen it.

What is the general character of Indian treaties?—I have never seen any of them.

By the Chairman.

Have you got the official map published in 1861?—Here it is.

You know the foot of Johnson street?—Yes.

What quantity of ground was allowed for the approach to the bridge?—A continuation of Johnson street.

Then that part of ground marked in your map belongs to the city of Victoria?—It then belonged to the city.

When you surveyed that, was it not part of Johnson street, and laid down as Johnson street as far as the water?—Yes.

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Have you since heard that the Hudson Bay Company have sold that part of the street ?—Yes.

Was that part ever macadamised by your orders ?—A portion was.

When did you first hear that the Hudson Bay Company had disposed of that part of the street ?—On my return from England, in 1861.

Then all that piece of property from the part known as Sam Price's, to the north of the bridge at the foot of Johnson street, was laid out by you as part of Johnson street ?—Yes.

Were you not surprised on your return, to find that they had sold the street ?—I was.

Did you remonstrate with any person on your return ?—Yes ; officially.

By Dr. Tolmie.

You say that it was customary to run town lines through cultivated fields, was the line you ran into the Company's field at Beckley Farm, a town line ?—Strictly speaking, it was not.

Were you running town lines in 1855 ?—Yes.

Were there any town lines run south of James' Bay ?—Yes ; in that neighborhood.

Has the south line been altered since 1855 ?—It has not.

Was the south line of Governor Douglas' property ever extended or altered ?—No ; the lines have not been altered, and were laid down according to the Indenture.

The Committee then adjourned until to-morrow, at 11 a. m.

(Signed) JAMES TRIMBLE, Chairman.

Office of Lands and Works, 7th April, 1864.—The Crown Lands Committee met this day at 11:30, at the office of the Surveyor General. Present : Dr. Trimble, Chairman, Messrs. DeCosmos, and Dennes, Dr. Tolmie, Col. Foster.

The examination of J. Despard Pemberton, Esq., Surveyor General, was continued.

Mr. Pemberton wished to revert to his testimony of yesterday, and to say that the back line of the Governor's property has not been altered since it was originally laid out, although his fences may have been put up wrong ; that, consequently, the south-east point of James Bay reserve has always remained the same, although the angle of that south line may have been, on the general adjustment of 1858, slightly altered.

By Dr. Tolmie.

I understood you to say yesterday that the James Bay Reserve was a reserve when you came to the country in 1851 ?—It was.

In what year did you make the plan of the Hudson Bay Company's lands at Beckley Farm ?—Immediately on my arrival.

(Plan presented to the Committee, Book No. 1.)

Does this plan in Book No. 1, page 75, show the James Bay, so-called Government Reserve, as a reserve ?—It does not.

Can you tell the Committee at what period this plan was made ?—To the best of my recollection, in 1853.

Are there any resolutions of the Hudson Bay Company attached to that plan ?—This reserve was a floating reserve, not marked upon any plan previous to 1855. I had early verbal instructions from the Governor to make a reserve long before that period, and a correspondence exists between the Colonial Office and the Hudson Bay Company, making the correction of its not being on the maps before that date.

You said yesterday that the portion marked Z was not under cultivation in 1855 ; is not land under cultivated grasses, land under cultivation ?—Yes ; but I was not aware that cultivated grass was in the ground.

Are not the ten acres laid out as a Government Reserve, in part or in whole, an Indian Reserve ? Yes ; with the modification I mentioned in the west and south lines.

How many lots were taken off at one side, and put on to the other ?—About two lots, in round numbers.

When did you first lay out Beacon Hill Park ?—I will ascertain by next meeting the exact date, from the surveyor's notes.

Can you tell how many acres it contained at that time ?—Close upon 179 acres.

Has any alteration been made in the lines since it was first surveyed ?—None of the lines have been altered, but a portion of it has been sold.

Who authorized you to lay out Beacon Hill as a park ?—His Excellency the Governor.

How many acres have been taken off the park ?—I will ascertain by the time of the next meeting.

Do you know who got these lots ?—I know of a portion of it being sold to Mr. Morris ; in regard of the rest, with me it is mere hearsay.

How was it possible to deviate from the line as laid down by you ?—The surveyor who made out the lots for the Company, assumed a surveying line as the Park boundary.

Was not the line laid down by you, clear and distinct enough for any surveyor ?—It was.

By Mr. DeCosmos.

Was there not an old fence that stretched from the Governor's residence to the Straits ?—Yes ; it followed the Park line for a considerable distance, and then deviated to the west.

Were any lots on the north line, part of the original Park Reserve ?—Certainly not.

And that line has been untouched by any person since you surveyed it ?—Certainly.

By Dr. Tolmie.

In what year was the original map with the deed attached to it, sent home ?—I do not know ; but I will learn by the next meeting of the Committee.

When did you lay out the Victoria District Church Reserve ?—The Victoria District Church Reserve, Parsonage, School Reserve, and Park Reserve, were all laid out at the same time.

How many acres are counted in Church Reserve by the original survey ?—Close upon twenty-four acres.

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Does that include the Cemetery ?—Yes.
Do you know if it has been encroached upon ?—A portion of it was sold on the east line.
How many acres were sold ?—In round numbers, four acres.
When were they sold ?—In 1858.
Had any map been sent home of the reserve before that date ?—I believe so.
By whose instructions did you sell ?—I believe by the Governor's.
What time in 1858 were they sold ?—In May or June.
To whom was lot 1167 sold ?—Lots 1167, 1168, 1169, 1170, sold to James Yates.
On what date were they sold ?—On the 2nd June, 1858.
On what date did Mr. Dallas assume the sale of the town property, and take it from the hands of the Government ?—In February, 1859.
Did Rae street on that date run into Vancouver street ?—I believe not.

By Mr. DeCosmos.

Was it not the understanding, when lots were sold on the Church Reserve, that the reserve should be an open one ?—I do not think there was any such understanding.
Has it always been your impression that that reserve could have been built upon and filled up, like any portion of the town ?—It never occurred to me that it was intended to be built upon. I always looked upon it as " lungs for the city."
Then the entire of block 21 was a part of the Church Reserve up to 1858 ?—Yes.
Did you survey the School Reserve originally ?—It was laid out under my directions.
How many acres did it originally contain, and has any diminution since taken place ?—Ten acres, and no diminution has taken place.
Was there an Indian Reserve behind the Victoria District School Reserve ?—None.
The Committee here adjourned till to-morrow.

(Signed), JAMES TRIMBLE, Chairman.

OFFICE OF LANDS AND WORKS, 8th April, 1864.—Present: Dr. Trimble, Chairman, Mr. De Cosmos.
There being no quorum, the Committee did not sit.

(Signed) JAMES TRIMBLE, Chairman.

OFFICE OF LANDS AND WORKS, April 19th, 1864.—The Committee met this day at ten o'clock a. m.—Present: Dr. Trimble, Chairman, Dr. Tolmie, Mr. DeCosmos.
The last minutes having been read and confirmed, J. D. Pemberton, Esq., Surveyor General, was examined:
Mr. Pemberton wished to state, that in corroboration of his testimony given on the 7th April, a paragraph appears in a letter addressed by him to the Secretary of the Hudson Bay Company, in London, to the following effect:
" In the transfer to the fur trade of lot 24, section XVIII, a reserve of ten acres for the Indians should have been left as marked on the enclosed tracing. The lines enclosing the ten acres now marked on the ground should be transferred to the copies originally forwarded. The Governor's despatch, dated ———, explains the completing arrangements. Mr. Pemberton wished also to state that with regard to the Church and Parsonage boundaries, laid out in 1858, no alteration whatever has taken place, with the exception of a small portion sold by the Hudson Bay Company. Mr. Pemberton also stated that in the evidence he had given in regard of the lot at the foot of Johnson street, he found he was in error."
(Mr. Pemberton here read to the Committee a letter from Mr. Donald Fraser.)
What was the nature of pre-emption in 1858 or 1859 ?—Special rights to purchase certain lands were granted in a few cases, in case those lands came into market.
At what date did you authorize the macadamizing of the property between Sam Price's and the bridge ?—The contract with Mr. Morris to grade a portion of that lot called 182 G, is dated October, 1858; the last payment was in January, 1859, and paid by the colony.
As Colonial Surveyor, were you not aware that that was part of the street ?—I considered it then a portion of the street.
Did you, before you left Vancouver Island for England, see a copy of the map made by the Hudson Bay Company, of a subdivision of Beckley Farm, on which the Indenture was based ?—No.
(Map of subdivisions of Beckley Farm produced.)
Did you see a copy of this map before you left for England ?—No.
Did you ever hear there was a map of this character in existence ?—I did; I obtained a tracing of a portion of it from Mr. Green.
Did you ever apply to the Hudson Bay Company to allow you to trace ?—I did.
Did you go there by desire of Governor Douglas ?—I did.
To whom did you apply ?—To Mr. McTavish.
What reply did you get ?—That the application was not convenient.
Did you ever apply to Dr. Tolmie ?—Once, I think; and only once.
What object had you in applying for tracings of property sold ?—To ascertain sales made previous to date of my enquiry.
At what date did you make this application to Mr. MacTavish.—Early in 1861.
When did you first see a copy of the map of the subdivisions of Beckley Farm ?—Very recently.

By Dr. Tolmie.

How comes it that you did not see it sooner ?—Because I was absent in England.

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Did you visit the Colonial Office in England ?--I did.
Did you see a copy of a map of a subdivision of Beckley Farm, there ?—I did not.
Did you ask for it ?—I did not.
Were you questioned in London concerning the Indenture of 1862 ?—I was not.
Did you imagine there would be more than 62 acres left to the Crown, of Beckley Farm, when you went to make the tracings ?—I never thought about it at all.
Tell the Committee the number of acres of land sold in Vancouver Island and its Dependencies, up to the latter end of 1857 ?—I will procure the statistics by next meeting
Mr. Pemberton requested permission to read to the Committee a despatch from Sir George Cornwall Lewis, exonerating him from certain charges made against him by Mr. Langford, (said despatch was addressed to Governor Douglas) in the matter of lands supposed to have been purchased by Mr. Dallas, at Metchosin.

(No. 2)

No. 28.—Copy of a despatch from the Secretary of State, to Governor Douglas, C. B. :

DOWNING STREET, 26th July, 1860.

SIR,—I have received your Despatch of the 23rd March, No. 14, forwarding a letter with several enclosures from E. E. Langford, containing a complaint against the Surveyor of Vancouver Island, and reflections upon yourself, on account of an application which has been made by Mr. Langford for leave to purchase a certain lot of land in Vancouver Island. You will have the goodness to inform Mr. Langford that I have carefully perused all the documents submitted to me upon the transaction, and that I am unable to find any cause for blame, in Mr. Pemberton's conduct. Neither do I see that you showed any want of readiness in investigating the case when your notice was called to it, or that blame is attributable to you for the delay which occurred in communicating the answer of Mr. Pemberton to Mr. Langford.

I have, etc., etc.,

(Signed) G. C. LEWIS.

With regard to rock and swamp, Mr. Pemberton said that authority was received from the Hudson Bay Company, in a letter dated London, 8th October, 1855, as follows :

(Rock and Swamp.)

"In all future sales of land, a discretionary power may be exercised, to charge for rock and swamp, according to locality, or other circumstances."
This authority was discontinued by Governor Douglas in 1858.
Mr. Pemberton then read a letter from himself to the Hudson Bay Company in London, showing that he was exercising the discretionary power given him in regard of rock and swamp, as liberally as was consistent with the public interest.

(Signed) JAMES TRIMBLE, Chairman.

CROWN LANDS COMMITTEE, Office of Lands and Works, 25th April, 1864.—Present : Dr. Trimble, Chairman, Mr. DeCosmos, Dr. Tolmie.
The last minutes having been read and confirmed, J. D. Pemberton, Esq., Surveyor General, was examined :
By the Chairman.
How many acres of land have been sold in Vancouver Island and its dependencies ?
Mr. DeCosmos here withdrew, (having previously objected to the question, as it had been answered) and the Committee there not being a quorum, adjourned.

(Signed) JAMES TRIMBLE, Chairman.

OFFICE OF LANDS AND WOKKS, 26th April, 1864.—Present : Mr. DeCosmos, Dr. Tolmie.
The Committee did not sit, there not being a quorum.

COMMITTEE ROOM, House of Assembly, April 27, 1864.—Present, Mr. De Cosmos and Mr. Dennes. There being no quorum the Committee did not sit.

COMMITTEE ROOM, House of Assembly, 28th April, 1864.—The Committee met this day at 11 A. M. —Present, Dr. Trimble, Chairman, Messrs. Dennes, De Cosmos, Duncan, Drs. Tolmie, Powell, Col. Foster.
Mr. Pemberton, Surveyor General, examined :
Mr. Pemberton asked leave to state to the Committee that in the last day's proceedings he had explained how he had carried out his instructions relative to rock and swamp, and the manner in which he had informed the Hudson Bay Company of his doing so. With regard to certain charges made against him individually, he would not occupy the time of the Committee by refuting vague statements, but should go at once to matters of fact : First—As to the lands held by the Mill Company at Albert Head, in which he was a shareholder. There were 20 shares in all. These lands consisted of, he thought 9 sections, and he made an allowance of rock and swamp to the Mill Company, which would have made their lands cost them in round numbers about ten shillings an acre ; in doing so he acted advisedly, and he had been over every part of the land ; he formed a most unfavorable opinion of it, as being utterly valueless for agricultural purposes, and the timber on it he regarded as being of very inferior quality. He should now prove to the Committee that in selling these lands to the Company at 10s. per acre if any injustice were done, it was not done to the Colony but to the Mill owners. The Mill Company got into difficulty in 1861, and they declined to pay up their instalments and the land was sold by auction for non-payment of instalments.
By referring to the Books (said Mr. Pemberton) I find that one section fetched $1 50 at auction,

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another $1 per acre, and any gentleman that wants it can pre-empt it now, for is open to pre-emption at the Land Office. This auction took place in round numbers about three years after the first transaction, and in the evidence I am charged with sacrificing the public interest by selling land at I0s. per acre which three years after, in round numbers, fetched $1 per acre.

By the Chairman.

How is it that in the Instalment Book, Mr. Homfray made up the Instalment paper for Roderick Finlayson on behalf of the proprietors of the Saw Mill Company, and how is it that this is the only occasion on which he made up the instalment paper under your directions?—Mr. Homfray wrote that paper in Instalment Book by my directions; I am solely answerable for the figures appearing therein; if he did not do so on other occasions it was purely accidental.

Did Mr. Homfray refuse at first to allow for a certain amount of rock and swamp?—Certainly not, he had nothing to do with such allowance.

By the Chairman.

How many acres are contained in the nine sections belonging .o the Mill Company, just alluded to?—755.82 acres.

How many acres were allowed for rock and swamp?—396 acres.

Do you believe the 396 acres to be a truthful allowance?—I do.

In reference to Mr. Homfray's evidence, as to there being only about 60 acres of rock (as given before the Committee) had you any dispute with him in reference to that matter?—Positively not, but I may have questioned him closely as to his opinion as to what ought to have been allowed.

Did you ask Mr. Homfray to add 300 or 400 acres, in addition to the 60 acres?—I dictated to him the figures in the Instalment Book.

Had you any interest in the Albert Head Saw Mill Company when that Instalment paper under consideration was given to Mr. R. Finlayson?—I believe I was still a shareholder.

What object had you in view in making these allowances for rock?—To facilitate as much as possible settlers in their commencing and to obey orders in doing so.

Is it usual in new countries to make allowance of rock and swamp to purchasers of Public lands?—I am not informed.

By Dr. Tolmie.

Had you not in some degree to meet the views of intending purchasers of Public lands as to extent of rock and swamp to be allowed?--Yes, for at that time we had some difficulty in getting purchasers.

Did not the officers at the head of the Land office here, find it necessary, prior to the gold excitement of 1858, to expend much time and labor in going over unsold lands with intending purchasers, and otherwise, ere they could effect sales?—Yes.

By Mr. Duncan.

When was the Albert Head property surveyed and by whom?—Between autumn of 1858 and spring of 1859, by Mr. Homfray.

Have you Mr. Homfray's field notes?—No.

What is the amount of rock and swamp marked on Mr. Homfray's field notes?—Mr. Homfray refused to give his field notes to be filed in the Land Office, as is usual, asserting that his field notes were sacred; consequently I cannot tell what is in them.

How did you arrive at the quantity of land in the Mill Company's claim, if not by Mr. Homfray's notes?—By the map.

Is the quantity of rock marked on that map?—The rock is not marked on Mr. Homfray's map.

Did he tell you that 60 or 70 acres would cover the entire rock on the Albert Head lands?—He may have said so, but I do not recollect it.

Did you ever see Mr. Homfray's field notes, where the amount of that rock was set down at 50 or 60 acres?—Never to my recollection.

Did you ever tell Mr. Homfray to make the allowance of rock between 300 and 400 acres, instead of 60 or 70 acres, on the Albert Head Mill Company's land?—I dictated to Mr. Homfray the figures on the instalment paper; I received from him the gross amount, and I have no doubt, an opinion from him; but the actual allowance for waste was made by me, and not by Mr. Homfray.

Had you the power to make any amount of allowance for rock or swamp, in any portion of the lands you have been selling, without any reference to the actual nature or character of the land?—No.

Was it simply by your own judgment, or by actual survey, that you based your allowance for rock and swamp, with reference to the Albert Head Property?—In that case, I made the allowance by a simple exercise of my own judgment, having previously personally thoroughly examined the ground.

Were you a director of the Albert Head Mill Company at that time?—I am not aware whether my name appeared as a director on the prospectus of the Mill Company, or not.

Who were the directors of that Company?—I am not aware.

Why did Mr. Dallas give up the land at or near Metchosin, alluded to by Mr. Homfray in his evidence, and regarding which, on complaint of Mr. Langford to His Grace the Duke of Newcastle, a lengthened investigation took place?—Previous to the survey, Mr. Dallas applied to purchase the land in question, and, as was customary up to that time, (1858) I rode out with Mr. Dallas, who was accompanied by Mr. McKenzie, to ascertain the lands he wished to purchase. After the subsequent survey, Mr. Dallas asserted that I had sold to other parties, some of the land which he had pointed out to me, and, I believe, to a small extent, the assertion was unavoidably correct. This led to Mr. Dallas declining to take the land.

Are you aware that Mr. Dallas ever gave Mr. Lowenberg orders to sell that land on his own account?—I heard that he did so previous to being furnished with the instalment paper.

Did you furnish Mr. Dallas with an instalment paper, and when?—I furnished Mr. Dallas with an instalment paper of those lands; the exact date at which I furnished the instalment paper I cannot

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say, because, owing at that time to press of business (1858 and 1859) the instalment papers frequently remained uncut in the book for a considerable period after they were made out.

Refer to your instalment book, and find the duplicate. What is the date of it ?—The exact date is blank ; it states " January, 1859."

There is a sum of one thousand and seventy-two dollars and forty-six cents, ($1,072 46) put down on this paper as having been paid to, and received by you in January, 1859 ; will you turn to your cash book, and find the entry in January, 1859 ?—The amount is not in the cash book, because it was never received, and the entry to which Mr. Duncan alludes, is merely an undated bill, not paid, and therefore cancelled.

Would you be kind enough to read the first 5 lines of that instalment paper, and the last 3 ?—" Vancouver Island Colony." " Esquimalt District, No. 70." " Received, this —— day of January. 1859, from Alexander Grant Dallas, the sum of $1,072 46.",

By whom is it signed ?—By " Joseph D. Pemberton."

Was the instalment paper ever in the possession of Alexander Grant Dallas ?—Not to my knowledge.

Do you receive the cash before you make out the receipt in your office ?—In general we do.

Did you make out the instalment paper ?—No ; Mr. Pearse made it out under my directions.

Do you generally sign these instalment papers before you get the money ?—Certainly not, as a general question ; in this case I did ; but the fact of the instalment paper being in the book, and cancelled, shows that I did not part with the instalment paper before I got the money.

Do you not think it would be a better way of doing business, to get the money first, and then sign the receipt ?—I do certainly.

How long was Mr. Dallas in possession of this land ?—I don't think he ever took possession of it.

Does his name appear in any of the books in your office, as pre-emptor of this land ?—I am not aware. I will search the records.

What is the usual course adopted by persons wishing to pre-empt land ?—I usually made an entry in an office diary, of the names of the persons, and the land they wished to pre-empt, and then generally made an appointment to suit their convenience, to ascertain what land they wanted.

Did you ever direct any persons first to look at lands, and afterwards tell them that they could not purchase those lands, because they were already sold ?—Quite possibly. The rule of the office has been that the first person who pays for a piece of land, has become the owner of it ; consequently, a person might ask in the Land Office to-day, " is a piece of land sold ?" he might be told " no," and given sufficient directions to find the ground, and then return to the Land Office, and find the land sold.

Did you ever order any lands to be marked sold on the map, on which the sale was not completed ?—Certainly not ; unless I believed them to be *bona-fide* sold.

Did you ever mark on the map any lands as sold, for your own particular advantage ?—No ; I wish it to be understood that in the land survey by Mr. Homfray, or in any other country lands, (my own farm excepted, and one instance in Lake district, in which I purchased two sections of land to oblige a friend at a distance, and my joint interest at Albert Head,) I never owned any property in the Crown Lands of the Colony, either directly or indirectly ; I never have been in the habit of trading in any of the Crown Lands of the Colony, either directly or indirectly.

By Dr. Tolmie.

Did Mr. Dallas ever meddle, or interfere with your management of Colonial Land sales ?—No.

Have you read the evidence given before this Committee by Mr. Homfray, insinuating that Mr. Dallas so interfered ?—Yes.

Please to inform the Committee whether you contradict or confirm that evidence ?—I contradict it as a matter of course, and as a matter of fact.

Mr. Pemberton then stated as follows :

" In my former evidence, with regard to my own lands in Victoria District, I mentioned that liberal allowance was made for rock and swamp (waste) at the period I purchased my farm, which was formerly a dairy farm, and afterwards a sheep run of the Hudson Bay Company. I did so with the knowledge and concurrence of the Company, paying them the value of their improvements upon it ; the purchase was duly reported in the annual account of sales to the Hudson Bay Company, and to the Crown. Wet willow land was then allowed as waste ; of this, at a heavy expense, I have cleared perhaps, 150 acres. The ratio of waste allowed in my purchase was 63 per cent. ; in the adjoining section on the right, which was not mine, the waste allowed was 80 per cent. ; in the section adjoining, on the left, which also was not mine, the waste allowed to the parchasers was 88 per cent. ; in the section immediately south of mine, waste was 32 per cent. If now measured on the principle then adopted, I am confident that the waste then allowed on my land and Mr. Pearse's (for which I alone am responsible) was wholly within the mark. A recent observer might conscientiously be mistaken, as an outlay of a few thousand pounds makes a great difference in the aspect of such a place. I can produce an old settler who has shot ducks from a canoe, opposite my hall door. The upper ground, except a small portion cleared by the Company, was covered with oak scrub ; the aspect of the place is now changed by cultivation. I should also wish to state, that in 1859 or 1860, I sold about 5 acres of the upper land, adjoining my house ; the purchaser subsequently applied to me to purchase 40 acres of the lower land adjoining, principally willow, and the price I put upon the latter, was one-third of the price of the former ; being an allowance made in that case by myself of sixty-six per cent., and, showing the view I entertain upon the point ; this last mentioned land, after expenditure of a considerable sum of money, is far more valuable for agricultural purposes, than that before mentioned.

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By Mr. Duncan.

What time was this land surveyed ?—I took possession of it about 1854, (" 1856" correction by Mr. Pemberton, by order of Chairman.)

Who surveyed this land ?—I made the first survey of the entire Victoria District.

Did you then mark on your map the amount of rock and swamp to be allowed ?—No, that was in 1851 ; there was no allowance then for rock and swamp.

The lands that you now hold, sections No. 68, 74, 23, 22, 73, were they ever wholly or in part, Government or Public Reserves, at any time ?—In part at one time a Government Reserve.

Which sections ?—74 and 68.

The Chairman read then to the Committee a report which he had drawn up.

It was moved by Dr. Dennes, that the report be adopted.

It was moved in amendment, by Mr. DeCosmos, that time be allowed to consider the report before its adoption.

The Committee then divided. For the adoption of the report : Ayes—Messrs. Duncan and Dennes, 2. For its postponement : Noes—Messrs. DeCosmos, Powell, and Foster, 3.

It was then proposed by Dr. Powell, and agreed to, that a sub-committee be appointed consisting of the Chairman, Messrs. Duncan and DeCosmos, to consider the report introduced by the Chairman, and to draw up a further report, which is to be submitted to the Committee on Monday next.

The committee then adjourned till to-morrow.

Payment of $200 to Mr. Arnoup, short-hand writer to the Committee, agreed to.

(Signed) JAMES TRIMBLE, Chairman.

Committee Room, House of Assembly, 29th April.—Present : Messrs. Powell, DeCosmos, Dennes, In the absence of the Chairman, the Committee did not sit.

Committee Room, House of Assembly, 2nd May, 1864.—The Committee met this day at 11 a. m., pursuant to adjournment. Present : Dr. Trimble, Chairman, Messrs. Duncan, De Cosmos, Dennes, Dr. Tolmie, Dr. Powell, Col. Foster.

The minutes of the last meeting were read, and, as a whole, adopted unanimously.

Dr. Powell begged to state that he only disagreed with the minutes of the last meeting, in the fact that he did not actually vote, but he expressed an opinion in favor of the postponement of the report, and the appointment of a sub-committee to bring in a report on Monday.

Col. Foster said the Committee voted virtually, though not absolutely.

Dr. Tolmie begged that it might be recorded in to-day's proceedings that at the last meeting he had retired shortly prior to the close of Mr. Pemberton's reported evidence, and he complained that any such important motion as that introduced by the Chairman at that meeting, should, when laid before the Committee only at the close of the day's proceedings, have been pressed for immediate discussion ; the usual parliamentary practice being to give notice of important propositions, and to allow such, after presentation, to lie on the table, before being debated, for some time.

Mr. DeCosmos called upon the clerk to produce the report introduced by the Chairman at last meeting.

The Chairman replied that the report had never been in the clerk's possession.

Mr. DeCosmos called for the report of the last day's proceedings in the *Chronicle* newspaper.

Mr. Duncan here withdrew, stating that his time could be much better occupied than in discussing newspaper reports.

The examination of J. D. Pemberton, Esq., was continued.

When did Mr. Dallas pre-empt the land in Metchosin District ?—I shall have to look at the books before I can answer.

Is his name down in the Records of the Land and Works Office as the purchaser or pre-emptor of that land ?—I shall ascertain by referring to the books.

Did you look upon Mr. Dallas as the owner of that land at the time he selected it ?—After he selected it, I considered him the owner of that land.

How long after he inspected the land did he select it ?—Mr. Dallas pointed out to me, in presence of Mr. McKenzie, the land he wished to purchase.

Did you look upon Mr. Dallas as the owner of that land up to the time of your presenting Mr. Dallas with the Instalment papers ?—Certainly, because I would not have sold the land to any one else during that interval.

By Mr. DeCosmos.

Did I not understand you on a former occasion to say that Mr. Dallas refused to take the land because part of it had been sold ?—Certainly.

What portion of the land set apart originally for Mr. Dallas was sold by you in the interim, and to whom ?—It was a matter of a few acres, and to the best of my recollection, sold to Mr. Cameron, it was prairie land.

How many acres of the land that Mr. Dallas claimed did Mr. Cameron buy ?—I don't believe it exceeded five acres.

Do you believe that Mr. Dallas got the land that was shown him, as much as he chose in your presence, to the full extent that a general survey of a district will admit of, which survey was not made till an after period ?—Yes.

Do you remember whether Mr. Dallas had prairie land or woodland in view in making the above selection ?—Open land to the best of my recollection.

Had he an opportunity of judging for himself when he paid a visit to it with you, whether the land he saw was woodland or prairie ?—Yes.

Could you tell Mr. Dallas to a nicety that he could have this part or that part in his purchase ? —No.

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With regard to the two sections you purchased for a friend in Lake District, whom did you purchase them for?—A cousin of mine bought a section of land from the Hudson Bay Company in London, without my knowledge, having the intention to come out to settle, but he changed his mind and asked me to take the land off his hands; that gentleman's name was Henry Smith.

Was there ever a Reserve made in the Colony, known as the Governor's Reserve?—Yes.

Where, and what sections?—Sections 68, I. D.; 74, 75, and 76, in round numbers a thousand acres.

Who are the owners of these sections now?—I am the owner of 68 and 74,

When did you purchase them?—The first instalment was paid April 19, 1859.

When did you occupy them?—I think in 185( ).

On what conditions did you become the owner?—There were no conditions till the purchase.

Did you pre-empt it, or how did you get possession of it?—I took possession of it from the Hudson Bay Company, and by their permission.

Did you not first enter upon it as your own property?—I did, I have no note here that will determine the exact date.

How many acres do these two sections contain?

When did you purchase section 74?—On the 8th of May, 1857.

Who is the owner of section 75?—B. W. Pearse.

When did Mr. Pearse purchase section 75?—On the 8th May, 1857.

Who is the owner of section 76?—B. W. Pearse.

When did he purchase it?—On the 25th May, 1858.

Who purchased section I. D.?—Governor Douglas.

How many acres are contained in it?—Section I. D. 68 acres.

Give date of purchase?—First of August, 1856.

Were you in possession of your two sections prior to the date of these despatches, [The despatches referred to were laid upon the table of the Committee by Mr. Pemberton and are appended to the minutes of the day's proceedings]?—Certainly not.

Will you explain to the Committee why there are 230.73 acres of rock allowed in section 68, purchased April 19, 1859, when allowance for rock ceased in June 1858?—You will find that the case in every instance in which the land was *bona-fide* held prior to date of making out the Instalment paper.

When did you take possession of the land?—I will inform the Committee at next meeting.

Was there any allowance for rock and swamp at the time of your taking possession?—Certainly

What is James Yates' property in Victoria District?—Section 11, containing 87 acres.

When did he purchase it?—In August 1852.

What other property?—Also section 12, 117 acres; also section 20; date of payment July 12, 1858.

When did he purchase it?—Mr. Yates was so very prompt in his payments, that I take it that the purchase and payment were contemporary.

How many acres was he allowed for rock and swamp?—3.72 acres in section 20. His next purchase was section 81, date of purchase May 26, 1858, allowance for rock, 5 acres; payment £104 8s. 4d.

Was a reservation ever made of the land where the Johnson Street Ravine is?—Johnson Street was occupied chiefly by French Canadians, and the Governor desired me to let them occupy the ravine for garden purposes, but as they never took advantage of the privilege, the Governor desired that the ravine should be sold with the remainder of the town site in 1858.

Was there a reserve made for a grave yard in Johnson street?—There was an old cemetery existing before my time on the continuation of Johnson street.

Did you ever survey it; if so, how many acres did you find it to contain?—Yes; the number of acres from memory I cannot say.

Was it fenced in?—It was.

Was it subsequently sold; if so, by whom?—It was; and sold by me.

It was then proposed and agreed, in order to facilitate the completion of the business before the Committee, that Mr. DeCosmos be empowered to draft a report to be submitted to the Committee on Thursday next, at 11 o'clock, a. m.

The Committee then adjourned till 11 a. m., on Thursday, the 5th inst.

(Signed) JAMES TRIMBLE, Chairman.

[COPY.] (On affairs of Vancouver Island Colony.)

HUDSON BAY HOUSE,
London, May 23rd, 1856.

JAMES DOUGLAS, ESQ., Fort Victoria:

SIR,—With reference to my letter of the 16th inst., duplicate of which is herewith enclosed, I am directed by the Governor and Committee to transmit for your information, copy of a letter received from the Colonial Office, in reply to the communication made on the 9th instant, respecting the disposal of the tract of land known as the Governor's Reserve. You will perceive therefrom that the Secretary for the colonies approved of the disposal of the land, and I am to request that you will effect sales accordingly. The purchase price of this land will of course have to be placed to the credit of "Vancouver Island Colony Trust Account."

I am, Sir, your obdt. Servant,

(Signed) W. G. SMITH, Secretary.

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[COPY.]

(Copy of correspondence with the Colonial Office, relative to the disposal of "The Governor's Reserve," in Vancouver Island.)

HUDSON BAY HOUSE, 9th May, 1856.

THE RIGHT HON. HENRY LABOUCHERE, etc., etc., etc.,

SIR,—I have the honor to enclose for your information, the accompanying extract from a letter recently received from Governor Douglas, dated Victoria, Vancouver Island, 5th March, 1856, by which you will perceive that he is anxious to dispose of the tract of land on the Island, known as the "Governor's Reserve." The directors of the Hudson Bay Company see no objection to the proposed sale, the proceeds of which would of course have to be carried to the credit of the Vancouver Island Trust Fund; on the contrary, they consider it very desirable that this reserve should be disposed of for the benefit of the colony, as it has been found "a hindrance to the settlement of the country," and may prove, as with similar reserves in other countries, a frequent subject-matter of dispute hereafter. Upon receiving your sanction to the proposed sale, I shall cause Governor Douglas to be instructed to complete the conveyance.

I have, etc.,

(Signed) JOHN SHEPHERD, Governor.

DOWNING STREET, 19th May, 1856.

J. SHEPHERD, ESQ., etc., etc.,

SIR,—With reference to your letter of the 9th instant, I am directed by Mr. Secretary Labouchere, to acquaint you that he approves of the instruction which you propose to give to Governor Douglas, to dispose of the tract of land in Vancouver Island, known as the Governor's Reserve.

I am, etc.,

(Signed) HERMAN MERIVALE.

HUDSON BAY HOUSE, May 22nd, 1856.

THE RIGHT HON. HENRY LABOUCHERE, etc., etc., etc.,

SIR,—I have the honor to acknowledge the receipt of Mr. Merivale's letter of the 19th instant, notifying your approval of the instructions proposed to be given to Governor Douglas, to dispose of the tract of land on Vancouver Island known as "the Governor's Reserve," and I beg to acquaint you that directions for the sale of the land, will accordingly be transmitted to Governor Douglas by the earliest opportunity.

I have, etc.,

(Signed) JOHN SHEPHERD, Governor.

(Proceeding of Committee upon the Report.)

COMMITTEE ROOM, House of Assembly, 9th May, 1864.—The Committee on Crown Lands met this day at 11 a. m. Present:—Dr. Trimble, Chairman, Dr. Tolmie, Mr. DeCosmos, Mr. Duncan, Mr. Dennes, Col. Foster.

Mr. DeCosmos presented to the Committee the report which he had been deputed to draw up at the last meeting of the Committee, stating at the same time that he wished the Committee to extend to him a further time, to enable him to complete the entire scheme of his report.

The clerk, by direction of the Chairman, read the report as submitted by Mr. DeCosmos.

The Committee having decided upon giving time to complete the report, adjourned till to-morrow.

(Signed) JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, House of Assembly, 10th May, 1864.—Present: Dr. Trimble, Chairman, Dr. Tolmie, Mr. Dennes.

The last minutes having been read and confirmed, the Committee adjourned till 11 a. m., to-morrow.

(Signed) JAMES TRIMBLE, Chairman.

Mr. DeCosmos and Col. Foster arrived immediately after the adjournment of the Committee.

COMMITTEE ROOM, House of Assembly, 11th May, 1864.—The Crown Lands Committee met this day at 11 a. m., pursuant to adjournment. Present: Dr. Trimble, Chairman, Dr. Tolmie, Mr. Dennes, Mr. Duncan, Mr. DeCosmos, Col. Foster.

Dr. Tolmie moved "That the resolutions agreed to by the Committee, at their first meeting, specifying the subjects to be dealt with by the Committee, be embodied in the report, and placed after the preamble."

The Committee thereupon divided. For Dr. Tolmie's resolution—Ayes—Dr. Tolmie, 1.

Against Dr. Tolmie's resolution—Noes—Messrs. DeCosmos, Foster, Duncan, Dennes, 4.

The resolution was therefore lost.

Section 1—Carried.

Section 2—Carried.

Section 3—Dr. Tolmie moved "That, at the end of section 3, the following words 'and took possession of certain lands in' be inserted before the words Vancover Island."—Carried.

Mr. DeCosmos moved an amendment, that the letter "S," in the word "lands" be stricken out.

For Mr. DeCosmos' amendment—Ayes—Messrs. DeCosmos, Duncan, 2.

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Against Mr. DeCosmos' amendment—Noes—Dr. Tolmie, Col. Foster, Mr. Dennes, 3.

Section 4—Dr. Tolmie moved that the following words be inserted :—" They had, moreover, as British subjects, all the rights to occupy and improve land in Vancouver Island, while it remained a disputed territory granted by the convention of 1818 between (His Majesty the King of the United Kingdom of) Great Britain (and Ireland) and the United States of America."

Section 4 postponed, in order that certain documents be produced before the Committee.

Section 5—Carried.

Section 6—Carried.

Section 7—Carried with paragraph.

Section 8—Postponed.

Section 9—Postponed.

Section 10—Carried.

Section 11—Carried.

Section 12—Mr. DeCosmos moved that after " Crown Lands," in first line, the words " which are," be inserted before " not," and after " Districts" in second line, the words " which are," be inserted.—Carried.

Section 12 (as far as page 16)—Carried.

The Committee then adjourned until Friday next.

(Signed) JAMES TRIMBLE, Chairman.

(Copy of a letter from Mr. Pemberton, appended to proceedings 11th May.)

LANDS AND WORKS,
11th May, 1864.

TO THE CHAIRMAN OF THE CROWN LANDS COMMITTEE.

SIR,—In reply to your enquiries when, regarding section LXVIII and section LXXIV, Victoria district,

I purchased	1°	4°
I occupied	2°	5°
I paid for	3°	6°

Having referred to the Books, I have the honor to reply to your six enquiries.

1°—August, 1856.

2°—25th August, 1856. The date when carpenters, who are now in the colony, carried out their tools to commence house building.

3°—10th August, 1856, paid £28 8s. 4d. First instalment.

4°—8th May, 1857.

5°—August, 1856.

6°—8th May, 1857.

I have the honor to be, Sir,
Your obedient Servant,
(Signed) J. DESPARD PEMBERTON.

COMMITTEE ROOM, House of Assembly, May 13, 1864.—Present, Dr. Trimble, Chairman, Dr Tolmie, Messrs. Dennes, De Cosmos, Duncan,

The Crown Lands Committee met this day at 11 A. M., pursuant to adjournment.

The last minutes having been read and confirmed, the Committee resumed Mr. De Cosmos' Report.

REPORT.

Section 13, page 22, paragraph 7, in third line from end of clause, before "large" strike out "very." Ayes, Messrs. Duncan, Dennes, DeCosmos, 3. Noes, Mr. Duncan, 1.

Section 14, page 22, line 9, Mr. Duncan moved that the word " legally" before sold be stricken out. Ayes, Messrs. Duncan and Dennes, 2. Noes, Messrs. De Cosmos and Tolmie, 2. The Chairman gave his casting vote in favor of the word " legally" being stricken out.

The section was then read as amended and passed.

Section 15—After " matter" in 8th line. Mr. Duncan moved that the remainder of the sentence be stricken out and the following words inserted, viz. : " The Committee come to the conclusion that undue allowance of rock and swamp has been made in several instances to certain purchasers o land." Ayes, Messrs. Duncan and Dennes, 2. Noes, Dr. Tolmie, 1.

In line 15, the Committee agreed to substitute the word " large" for liberal, before the word allowances.

In line 16, after purchasers of land, Dr. Tolmie moved that the following words be inserted : " prior to 1858, having found it necessary to do so in order to effect sales of land." Ayes, Dr. Tolmie, 1. Noes, Messrs. Dennes, Duncan, and De Cosmos, 3.

Mr. De Cosmos moved that the sentence read thus, after " purchasers of land" prior to 1858, in order to facilitate the sales of land. Ayes, Messrs. De Cosmos, Dennes, and Duncan, 3. Noes Dr. Tolmie, 1.

The section was then read as amended and carried.

Section 16—Mr. Tolmie moved that section 16 be expunged. Ayes, Dr. Tolmie, 1. Noes, Messrs. Dennes, Duncan, De Cosmos, 3.

Dr. Tolmie moved that the consideration of certain sections which had been postponed in earlier part of the report be here taken up. Ayes, Mr. Tolmie, Mr. Dennes. 2. Noes, Messrs. Duncan and De Cosmos, 2. The Chairman gave his casting vote against Dr. Tolmie's motion.

Section 17—Mr. Duncan moved that section 17 be adopted.

Dr. Tolmie moved an amendment that section 17 be expunged, it having been shown in evidence before the Committee that these sections of land, viz. : 18, 31, 32, have become the property of the fur trade branch of the Hudson Bay Company, with the exception of certain reserves and concessions of portions thereof.

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For Dr. Tolmie's amendment—Ayes, Dr. Tolmie, 1. Against it—Noes, Messrs. De Cosmos, Duncan, and Dennes, 3.

The section was then read and adopted as a whole.

Section 18—The Committee agreed to the insertion of the following words:

In line 3, after "obtained" insert "in money and property."

In line 5, after "money," insert the words, "and property."

In line 10, before the word "one" insert "more than."

In line 1, page 27, after "sale" erase "of," and in lieu, insert "and occupation of property in."

In line 3, before $37,000, insert "or."

In line 3, transpose "or a color of reason," from line 4 to after the word "Evidence."

Mr. Duncan moved that section 18 do pass as amended.

Mr. Dennes moved an amendment that clause 18 be postponed.

For Mr. Dennes' amendment—Ayes, Dr. Tolmie, Mr. Dennes, 2. Against the amendment—Noes, Messrs De Cosmos, and Duncan, 2. The Chairman voted in favor of the amendment.

The section was then adopted as amended.

Mr. De Cosmos moved that the Committee adjourn till 7 p. m. this evening.

Agreed to, nem. con.

Evening Session, 7 p. m., May 13, 1864.—Present, Dr. Trimble, chairman, Dr. Tolmie, Mr. Duncan, Mr. De Cosmos, Mr. Dennes.

Section 19, page 30, line 9—Mr. De Cosmos moved that after "interest" the "would be" erased and "might" be inserted in its place. Carried nem. con.

Clause as amended read and passed.

Section 20, line 1—The Committee agreed to insert "taken before the Committee it has been" after "Evidence," in lieu of "the Colonial Secretary. Mr W. A. G. Young he." to be erased.

Mr. De Cosmos moved that the last paragraph, commencing "no fraud, &c." to end of section, be erased. Ayes, Messrs. Duncan, De Cosmos, 2. Noes, Messrs. Dennes, Tolmie, 2. The chairman voted with the ayes.

Mr. Dennes moved "that a series of Resolutions which he laid upon the table, after being read by the clerk, be now inserted in the Report."

Ayes—Messrs. Dennes, Duncan, 2. Noes—Dr. Tolmie, Mr. DeCosmos, 2.

The Chairman gave his casting vote in favor of the adoption of the resolutions presented by Mr. Dennes.

Mr. DeCosmos here presented a protest, which is appended to this day's proceedings.

Mr. Tolmie moved the following resolution: "That the argument running through this report, and bearing upon the value, past, present, or prospective, of lots 18, 31, 32, has no fair application to the questions before this Committee, as laid down in the resolution of the House, under which the Committee has acted."

Ayes—Dr. Tolmie, 1. Noes—Messrs. Dennes and Duncan, 2.

The resolution was therefore lost.

Mr. Dennes then moved that all the sections beginning at section 21, to the end of the report, be stricken out.

Ayes—Messrs. Dennes and Duncan, 2. Noes—Messrs. DeCosmos, Tolmie, 2.

Mr. Trimble gave his casting vote in favor of Mr. Dennes' motion.

Dr. Tolmie moved "That this Committee has no authority, from the resolution of the House under which it has been constituted, to call in question the validity and finality of the Indenture made the 3rd day of February, 1862, between Her Most Gracious Majesty Queen Victoria, of the one part, and the Governor and Company of Adventurers of England, trading into Hudson's Bay, in the said Indenture, called 'the Company,' of the other part."

For Dr. Tolmie's resolution—Ayes—Dr. Tolmie, 1. Against it—Noes—Messrs. Duncan and Dennes, 2.

Mr. Duncan moved that the paragraph postponed in the earlier portion of the report, be now taken up.

Dr. Tolmie moved that the resolution he brought forward on the first reading of section 4, be adopted by the Committee. (Pending).

Mr. Dennes moved that the Committee do now adjourn.

Carried unanimously.

The Committee then adjourned till Tuesday, at 11 a. m., the 17th instant.

(Signed) JAMES TRIMBLE, Chairman.

(Resolutions presented by Mr. Dennes, in Committee, and adopted 13th May, 1864.)

In offering this report, the Committee beg to state that the greatest difficulty has been experienced in obtaining evidence of a satisfactory character, on account of the witnesses being free from the responsibilities which rest on persons under oath. The following are the subjects which have also largely engrossed the attention of your Committee:—

1st—The town site of Victoria, including Government Reserve "as formerly known," corner of Yates and Government street.

2nd—Harbour Master's office, foot of Yates street.

3rd—Property foot of Johnson street, adjoining site of the old bridge.

4th—Reserve lots, opposite Captain Mouatt's.

5th—James Bay Government Reserve, containing 10 acres, 2¼ of which were sold by the Hudson Bay Company.

6th—Church Reserve, 4 acres of which were sold by Surveyor General J. D. Pemberton, by order of Hudson's Bay Company.

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7th—Beacon Hill Park encroachments, embracing about 10 acres.
8th—Lands claimed by the Hudson Bay Company, Beckley, Uplands, and North Dairy Farms, containing about 3084 acres.
9th—Lands claimed by the Puget Sound Agricultural Company, consisting of 4 farms amounting to —— acres.
10th—The Clergy Reserve consisting of 640 acres.
11th—1,000 acres laid out for Governor Blanchard, as Government Reserve.
12th—Proportion of rocks and swamps allowed to purchasers of Crown Lands.
13th—Receipts from the sale of Crown Lands, how and when such moneys were expended.

After a long and careful enquiry into the subjects already mentioned, your Committee have come to the conclusion that the lands claimed by the Hudson Bay Company, virtually belong to the Crown; and that the lands claimed by the Puget Sound Agricultural Company, ought to be fully and carefully enquired into; but from inadequate powers vested in your Committee, they are unable to arrive at as definite a conclusion as the importance of the subject demands. Your Committee would therefore earnestly and respectfully request that your Honorable House would recommend to His Excellency the appointment of a Commission of Enquiry, empowered to administer oaths, and to make the most searching investigation into these and all matters connected with the Crown Lands of the Colony, thus leading, in the only manner possible, in your Committee's opinion, to a final settlement of this vexed question, which has so long troubled the public mind, and retarded the prosperity of the Colony.

(Appended to Proceedings of Committee, 13th May, 1864.)

Protest by Mr. DeCosmos:

I, Amor DeCosmos, member of the Committee on Crown Lands, protest against the adoption of the amendment of Mr. Dennes, relative to a Commission, not on the ground of the appointment of a Commission of Enquiry into the Crown Lands, for that I shall vote for; but on the ground that it ignores details of many questions which in my opinion ought to be embodied in the report. Among which questions are:

1—The water frontage of Victoria Harbor.
2—Public Springs.
3—James Bay Reserve.
4—Johnson street Reserve.
5—Land coming to Crown under Indenture of February 3rd, 1862.
6—The pre-emption of Nias and Trimble on Beckley Farm.
7—Church Reserve.
8—Crown Lands arrears.
9—And several other matters.

(Signed) A. DeCosmos.

Victoria, V. I., May 13th, 1864.

Committee Room, House of Assembly, 17th May, 1864.—The Committee on Crown Lands met this day at 11 a. m., pursuant to adjournment. Present: Dr. Trimble, Chairman, Messrs. Dennes, Duncan, DeCosmos, Dr. Powell, Dr. Tolmie, Col. Foster.

The last minutes having been read and confirmed, Dr. Tolmie moved that the resolution be brought forward at the first reading of section 4 (resolution read to the Committee) be adopted.

Mr. DeCosmos moved an amendment that at the end of clause 4, the following words be inserted: "It may, however, be stated that the disputed territory, including Vancouver Island, was declared free and open to all British subjects, in the convention of 1818, between Great Britain and the United States."—Adopted.

Text of original clause or section carried nem. con.

Text of original section (9) carried nem. con.

Col. Foster and Dr. Powell here took their seats at the table of the Committee.

Mr. DeCosmos moved that the resolutions laid before the Committee by Mr. Dennes, on the 13th instant, be rescinded, as also the motion of Mr. Dennes, striking out a large portion of the report.

The Chairman said that the question had been already settled, and could not be re-opened.

Mr. Duncan moved an amendment that the report be adopted.

Dr. Tolmie moved an amendment that the report be re-committed from section 20.

The Chairman stated that his decision was that the question could not be re-opened.

Colonel Foster then moved that the Committee do now adjourn till to-morow, to enable Dr. Powell, who from illness has been unable to attend the deliberations of the Committee upon the report, to read the said report.—Carried.

The Committee then adjourned till to-morrow at 11 a. m.

(Signed) JAMES TRIMBLE, Chairman.

Committee Room, House of Assembly, May 18, 1864.—The Committee met this day at 11 15, A. M. Present, Dr. Trimble, Chairman, Messrs. De Cosmos, Duncan, Dennes.

The last minutes having been read and confirmed, Mr. Duncan moved that the Committee do adjourn till Saturday, at 11, A. M. (21st).

Mr. Dennes seconded.

Mr. De Cosmos moved an amendment, that the Committee do adjourn till to-morrow at 11 A. M.

For Mr, Duncan's motion—Ayes, Messrs. Dennes, and Duncan, 2. Against Mr. Duncan's motion, Noes, Mr. De Cosmos, 1.

The Committee then adjourned till Saturday next.

(Signed) JAMES TRIMBLE, Chairman.

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COMMITTEE ROOM, House of Assembly, May 26, 1864.—The Committee on Crown Lands met this day at 11 A. M.—Present, Dr. Trimble, Chairman, Dr. Powell, Dr. Tolmie, Messrs. Dennes, De Cosmos. The last minutes having been read and confirmed:

Dr. Tolmie moved that the report be recommitted.

Mr. De Cosmos seconded the motion.

The Chairman declined to open the question again, as he had already decided upon it.

Mr. Dennes moved that the Report be adopted as amended.

Mr. De Cosmos moved the following amendment:

Resolved that the Report be adopted to section 20, and that the Committee proceed to consider all the subsequent clauses of the draft report with amendment to section 20.

The Chairman declined to put Mr. De Cosmos' amendment.

The Chairman then put Mr. Dennes' motion (here Mr. De Cosmos and Dr. Tolmie withdrew from the Committee).

For Mr. Dennes' motion—Ayes, Mr. Dennes, 1. Dr. Powell did not vote.

The Committee then separated.

(Signed) JAMES TRIMBLE, Chairman.

COMMITTEE ROOM, House of Assembly, June 8, 1864.—Present, Dr. Trimble, Chairman, Messrs. Dennes, Duncan.

The last minutes having been read and confirmed:

Mr. Duncan moved that the Committee reconsider the report as amended and sent back to the Committee by the House.

Ayes, Messrs. Duncan, and Dennes, 2. Noes, none. Carried.

Mr. Dennes moved that the report as amended be adopted: Ayes, Messrs. Duncan, and Dennes, 2. Noes, None.

The Committee then adjourned till to-morrow, at 3 p. m.

(Signed) JAMES TRIMBLE, Chairman.

10TH JUNE, 1864.—THE COMMITTEE ON CROWN LANDS met this day at 2:45 P. M.—Present, Dr. Trimble, Chairman, Mr. Duncan, Dr Tolmie. (Dr. Powell arrived after the minutes had been confirmed).

The last minutes having been read, the question was put by the Chairman as to the adoption of the minutes of last meeting:

Mr. Duncan moved for their confirmation:

Ayes, Mr. Duncan, 1. Noes Dr. Tolmie, 1. Dr. Trimble gave his casting vote in favor of the confirmation of the minutes.

Dr. Tolmie objected for the reason that the quarter or half hour's delay after 11 A. M. hitherto invariably allowed for the arrival of members of the Committee was at the meeting of the 8th June not allowed

The following bills were taken under consideration:

H. O. Tiedeman,	$125
J. Gastineau,	25
R. Homfray,	300
J. B. Harries,	50
Mr. Green,	(Sum unknown)

The Committee decided in favor of paying to Mr. J. B. Harries the sum of Fifty dollars for ten days copying of the Report, and beg to refer the other bills to the discretion of your Honorable House.

(Signed) JAMES TRIMBLE, Chairman.

MINUTES OF THE CROWN LANDS COMMITTEE, June 14th, 11 A. M.—Present, Dr. Trimble, Chairman, Col. Foster, Dr. Tolmie, Mr. De Cosmos, Dr. Powell. The minutes of the last meeting, held on the 10th June having been read, were confirmed.

The Committee proceeded to reconsider the Report in accordance with the order of the House.

Mr. De Cosmos, 15, the words "But after a careful examination of the matter, the Committee came to the conclusion that undue allowance of rock and swamp has been made in several instances to certain purchasers of land" be erased and the following be inserted: "But after a careful examination of the matter, no discovery has been made to warrant the positive conclusion that anything more than the customary allowance of rock and swamp based on the Surveyor General's Estimate and not on survey, has been granted to purchasers."

Col. Foster moved in amendment that the word "positive" be left out. Lost.

Ayes, Col. Foster, Dr, Tolmie. Noes, Mr. De Cosmos, Dr. Powell.

The Chairman gave his casting vote in favor of the original motion.

Dr. Tolmie moved that in section No. 4, the following words be added:

"They had moreover, as British subjects, all the rights to occupy and improve land in Vancouver Island while it remained a disputed territory, granted by the convention of 1818, between His Majesty the King of the United Kingdom of Great Britain and Ireland, and the United States of America."

Ayes—Dr. Tolmie, Col. Foster, 2. Noes—Mr. DeCosmos, Dr. Powell, 2. The Chairman voted "No," and the motion was lost.

Mr. DeCosmos moved that the report be adopted as far as the end of the first paragraph, in section 20.

Ayes—Col. Foster, Mr. DeCosmos, and Dr. Powell, 3. Noes—Dr. Tolmie, 1.

Mr. DeCosmos moved that the remainder of section 29 be postponed. Carried.

Section No. 21, of the draft report, was withdrawn by unanimous consent of the Committee.

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Mr. DeCosmos moved that section No. 22 of the draft report, be adopted as section 21 of final report.—Carried unanimously.

Col. Foster moved the following words as section 22 :—" On a portion of the land mentioned in statement O, Appendix No. 1, there are two pre-emptions registered, the first by Mr. G. E. Nias, registered by the Surveyor General, the second by James Trimble, registered by the Acting Surveyor General."—Carried unanimously.

Mr. DeCosmos moved that section No. 24, of the Draft Report become section No. 23, of the final report.—Carried unanimously.

Mr. DeCosmos moved that section No. 25, of the Draft Report, stand as section No. 24.—Carried unanimously.

Mr. Dennes here entered the Committee room, and took his seat.

It was moved by Dr. Tolmie, that in section No. 26, of the draft report, the following words be stricken out " on reviewing the whole evidence, the Committee are of opinion that section Z should be held as a part of James Bay Reserve."

Ayes—Dr. Tolmie, Col. Foster, 2. Noes—Dr. Powell, Mr. Dennes, and Mr. DeCosmos, 3.

Mr. DeCosmos then moved that section No. 26, of the draft report, stand as section No. 25, of the final report.

Ayes—Mr. Dennes, Mr. DeCosmos, Dr. Powell, and Col. Foster, 4. Noes—Dr. Trimble.

Mr. DeCosmos moved that section 27, of draft report, be adopted as section 26, of final report.

Dr. Tolmie moved that it be not adopted, inasmuch as it refers to land sold before the 13th January, 1862.

Ayes—Messrs. DeCosmos, Dennes, and Powell, 3. Noes—Dr. Tolmie and Col. Foster, 2.

The original motion was then carried.

Ayes—Messrs. DeCosmos, Dennes, and Powell, 3. Noes—Col. Foster, and Dr. Tolmie, 2.

Mr. DeCosmos moved that section 28, of the draft report, stand as section 27.

Ayes—Col. Foster, Messrs. Dennes, DeCosmos, and Powell, 4. Noes—Dr. Tolmie, 1.

Mr. DeCosmos moved that section 24 of draft report, stand as section 28, of final report.

Col. Foster moved in amendment, that the following words be added, " and moreover, of the said Church Reserve, four acres have been alienated and sold by the Surveyor General, as he states by order of the late Governor, Sir James Douglas." Carried unanimously.

The original motion was then put and carried, Dr. Tolmie dissenting.

It was then moved that section 30, of the draft, stand as section 29, of final report. Carried unanimously.

It was moved that section 31 of draft stand as section 30, of final report.

Ayes—Mr. DeCosmos, Dr. Powell, 2. Noes—Col. Foster, Dr. Tolmie, 2. The Chairman voted affirmative, and declared the motion carried.

It was moved that section 34 of the draft, stand as section 33, of final report. Carried unanimously.

It was moved that section 35 of draft, stand as section 34, of final report. Carried unanimously.

The latter part of section 20, (previously postponed) was now re-considered. Col. Foster moved that this portion of the section be stricken out.

Ayes—Mr. DeCosmos, Mr. Dennes, Col. Foster, Dr. Powell.

Mr. DeCosmos moved that the report as a whole be now adopted. Carried unanimously.

Col. Foster moved that the Chairman appoint a member of the Committee to act with himself, for the proper engrossing of the report, in order that it may be presented to the House to-morrow.—Carried unanimously.

The Chairman appointed Mr. DeCosmos.

Mr. DeCosmos moved that the Chairman, before presenting the report to the House, ask leave of the House to present the report with the opinions and observations of the Committee, together with the minutes of their proceedings.—Carried unanimously.

Mr. DeCosmos moved that the minutes of this day's proceedings be now read.—Carried unanimously.

The minutes having been read, Mr. Dennes moved that they be now confirmed.—Carried unanimously.

(Signed) JAMES TRIMBLE, Chairman.

House of Assembly, Committee Room, 15th June, 1864.—The Crown Lands Committee met this day at 2:45 p. m. Present: Dr. Trimble, Chairman, Messrs. DeCosmos, Dennes, Duncan, and Dr. Powell.

Mr. DeCosmos moved that an additional sum of five dollars be paid to Mr. Harries, and a like sum to Mr. Myer, for extra work done upon the Crown Lands Committee report, as per vouchers.—Mr. Dennes seconded. Carried.

On motion of Dr. Powell, seconded by Mr. Duncan, the preceding minutes were confirmed, and the Committee wound up their proceedings.

(Signed) JAMES TRIMBLE, Chairman.

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RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to 1st February, 1864, for the District of Esquimalt.

Section.	Name.	Content.	Deduct acres.	Charged acres.	Date of Payment.	By Whom Paid.	Payment made. $ cts.	Payment due. $ cts.
i	Puget Sound Agricultural Company	630	10	620	17th May, 1854	Paid in London, in full	2,976 00	
ii	do.	606	60	546	do	do do	2,620 80	
iii	James Cooper	64.45	.20	54.25		In full	308 40	
iv	George Frederick Hawkins	20.25		20.25		do	97 20	
v	Arthur W. Owen	150		150		do	720 00	
vi	James Sangster	20		20	26th May, 1862	do	96 00	
vii	John Greig	37	7	30	31st May, 1862	do	144 00	
viii	John S. Helmcken	139	2	137	22nd June, 1857	do	657 60	
ix	Charles Dodd	247	44	203	29th Oct., 1862	do	974 40	
x	Puget Sound Agricultural Company	610	10	600	17th May, 1854	Paid in London, in full	2,880 00	
xi	do.	605	10	595	do	do do	2,856 00	
xii	William R. Parson	40.50	1.50	39	8th Oct., 1855	In full	187 20	
xiii	do.	31	11	20	3rd Nov., 1857	do	107 88½	
xiv	James Cooper	20.75	.75	20	8th Oct., 1855	do	96 00	
xv	James Douglas	247	79	168		do	806 40	
xvi	James Yates	23	2	21	2nd June, 1857	do	100 80	
xvii	Horace Rising	35.50	11	24.50	14th April, 1863	do	118 62	
xviii	Fur Trade Branch, H. B. Co	24		24	23rd June, 1856	do	115 20	
xix	W. J. McDonald	16.75	1	15.75	10th Sept., 1858	do	75 60	
xx xxi xxii xxiii	Fur Trade Branch of H. B. Co	197	5.25	191.75	11th July, 1856	do	920 40	
xxiv	W. R. Parson	17	8	9	3rd Nov., 1857	do	39 63	
xxv	Indian Reserve	47						
xxvi	T. J. Skinner	20		20	8th Oct., 1856	In full	96 00	
xxvii	J. S. Helmcken	40	26	14	1st Aug., 1856	do	67 20	
xxviii	James Wilson	59	34	25	6th Oct., 1857	do	120 00	
xxix	Thos. Flewin	32.38	4	28.38	22nd Feb., 1858	do	135 60	
xxx	James Douglas	24.92	4.92	20		do	96 00	
xxxi	John Russell	120.20	16.50	103.70	7th Aug., 1857	do	497 76	
xxxii	Henry Simpson	45.80	1.55	44.25	20th Oct., 1858	do	212 40	
xxxiii	David Cameron	251.70	4.00	247.70	4th Aug., 1858	First instalment	331 20	$800 70
						Second instalment and interest	301 30	
						Third instalment and interest	352 81	
xxxiv	David Cameron	172.28	2.28	170	4th Aug., 1858	First Instalment	204 00	339 50
					9th Dec., 1861	Second instalment and interest	234 [illegible]	
					3rd Feb., 1863	On account of third instalment	72 75	
xxxv	G. F. Hawkins	73.50	3.50	70	14th Oct., 1862	In full	384 [illegible]	
xxxvi	L. Lowenberg	108	1	107	31st July, 1860	do	£107 [illegible]	
xxxvii	do.	102.40	1.40	101	do	do	101 13	
xxxviii	R. Golledge	97.72	1.25	96.47	29th July, 1863	do	107 10	
xxxix	J. M. Ollis and H. Piers	93.50	.50	93	17th May, 1859	do	$ [illegible]	
xl	W. L. Booker	88.45	1.45	87		do	[illegible]	
xli	J. Lowe	83.64	2	81.64	13th Dec., 1861	Forfeited and sold by auction	179 [illegible]	
xlii	R. Finlayson, V. I. S. S. Mill Co	79.50	40	39.50		to Lumley Franklin	123 [illegible]	
xliii	do.	75	43	32		@ $1 per acre	[illegible]	
xliv	James Duncan	172.75	111	61.75	1st Jan., 1859	First instalment	[illegible]	£31 17 6
	Offered at Auction 13th December, 1861				2nd Jan., 1863	James Duncan, second instalment and interest	£ [illegible]	
xlv	E. J. Roseman	31.35	1.35	30	6th Jan., 1859	In full	$ [illegible]	
xlvi	W. Hunt	24	3	21	20th Dec., 1860	do	£ [illegible]	
xlvii	do.	20.30	.30	20	1st Aug., 1859	First instalment	$ [illegible]	
	do.			23	11th Nov., 1861	Second instalment and interest	£ [illegible]	
					19th Aug., 1863	On account of a third instalment	$ [illegible]	66 40
xlviii	do.	28.55	.55	28	1st Aug., 1859	First Instalment	[illegible]	
					11th Nov., 1861	Second instalment and interest	[illegible]	
					19th Aug., 1863	On account of third instalment	[illegible]	

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Section.	Name.	Content	Deduct acres	Charged acres.	Date of Payment.	By Whom Paid.	Payment made $ cts	Payment due. $ cts.
xlix	George Dutnall	65.00	25.00	40.00	14th April, 1863	In full	£ 45 5c	
l	R Finlayson, V I S.S. Mill Co	62.30	1.30	61.00				
	Forfeited and sold by them				13th Dec, 1861	L. Franklin, @ $1 05 per acre, in full	$ 81 25	
li	R. Finlayson, for V.I.S.S. Mill Co	41.60	5.50	36.10	1st Jan, 1859	First instalment	43 32	£18 1 0
					11th Dec., 1861	Second instalment and interest	50 42	
lii	do do	24.67	2.00	22.67	1st Jan., 1859	First instalment	27 20	
	Forfeited and sold at auction				13th Dec. 1861	Lumley Franklin, @ $1 25 per acre, in full	28 34	
liii	James Lowe	42.00	1.00	41.00	4th Aug., 1 59	First instalment	49 20	
	Forfeited and sold at auction				13th Dec, 1 61	L. Franklin, @ $1 15 per acre, in full	47 15	
liv	W. L Booker	67.70	1.55	66.15	4th Aug, 1859	First instalment	79 38	
	Forfeited and sold at auction				13th Dec., 1861	L. Franklin, @ $1 per acre, in full	66 15	
lv	R Golledge	32.75	0.75	32.00	9 h July, 1 63	In full	£ 35 12 8	
lvi	J H. Pearse	39.5	1.50	38.00	21st Aug., 1860		£ 33 17 7	
lvii lviii lix	R Finlayson, for V.I S S Mill Co	300.00	171.00	129 00	13th Dec, 1861	Forfeited, and offered at auction, not sold First instalment	$ 154 80	
lx	W. Rothwell	100.00	2.00	98.00	13th March. 1860	In full	98 90	
lxi lxii	J. M. Ollis	200.00	4.00	196.00	9th Aug., 1859	do	196 00	
lxiii	E. Bartlett	100.00	2.00	98.00	29th June, 1858	do	98 00	
lxiv lxv	J M. Ollis	200.00	4.00	196.00	12 h Aug., 1859	do	196 00	
lxvi	Government Reserve, N. Hospital	17.66	0.66	17.00				
lxvii	P. W. Wallace	100.00	2.00	98.00	9th Feb., 1859	First instalment	120 00	$ 118 82
						Second instalment	120 00	
						Third instalment and interest	155 72	
lxviii	G. R. Laurence	100.00	25.00	75.00	6th March, 1860	First instalment	93 75	
	Forfeited and sold at auction				16th Feb., 1863	D. B Ring, @ $2 25 per acre. In full	223 06	
lxix	Thomas Williams	100.00	50.00	50.00	22nd Feb., 1860	First instalment	125 00	
						On account of second instalment	100 00	
						Balance of second instalment and interest	28 65	
							10 82	
lxx	H. Richards	100.00	1.00	99.00	23rd Jan., 1860	First instalment	123 75	
					24th Jan., 1863	Second instalment and interest	£ 28 9 3	
lxxi	G W. Heaton	100.00	3 00	97.00	31st Dec., 1859	First instalment	$ 121 25	352 84
	K. McKenzie	208.32	1.32	207.00	15th March, 1861	First instalment	268 75	
lxxii	Forfeited and sold at auction				16th Feb., 1863	J Porter, @ $2 per acre. In full	414 00	
lxxiii	L. Lowenberg	100.00	50.00	50.00	8th May, 1863	In full	272 64	
lxxiv lxxv	A Peatt	200.00	100 00	100.00	22 d Feb., 1859	First instalment	125 00	242 50
lxxvi	G R Lawrence, and T. Williams	100.00	2.00	98.00	8th March, 1860	In full	98 00	
lxxvii	W Crohan	100.00	2.00	98.00	8 h Feb, 1861	do	98 00	
lxxviii	W. Rothwell	100.00	2.00	98.00	13th March, 1860	do	98 00	
lxxix	T. Wallace	100.00	36.00	64.00	21st June, 1858	First instalment	76 80	
	Forfeited and offered at auction				6th Oct., 1860	In full	300 00	
lxxx	T. Wallace	100.00	36.00	64.00	21st June, 1858	First instalment	76 80	
	Forfeited and offered at auction				6th Oct., 1860		25 00	
lxxxi	T. Wallace	100.00	36.00	64.00	21st June, 1858	First instalment	76 80	
	Forfeited and offered at auction				6th Oct, 1860		0 00	
lxxxii lxxxiii	T. Wallace	200.00	72.00	128.00	21st June, 1858	First instalment	154 60	
	Forfeited and offered at auction				13 h March, 1863	E. ½ G. Cook. First instalment	35 65	
lxxxiv	W. Rothwell	100.00	2.00	98.00	13th March, 1860	In full	98 00	
lxxxv	T. Wallace	100.00	36.00	64.00	21st June, 1858	First instalment	76 80	
	Forfeited and sold at auction	33.00	2.00	31.00	13th Dec. 1861	T. Collins, @ $2 25 per acre. In full	69 75	
lxxxvi	T. Wallace	100.00	36.00	64.00	21st June, 1858	First instalment	76 80	
	Forfeited and sold at auction	100.00	lake 50	50.00	13th Dec, 1861	D. B. Ring @ $1 20 per acre. In full	60 00	
lxxxvii	T. Wallace	100.00	36.00	64.00	21st June, 1858	First instalment	76 80	
	Forfeited and sold at auction				13th Dec., 1861	D. B. Ring, @ $1 25 per acre. In full	117 6	
lxxxviii	T. Wallace	200.00	72.00	128 00	21st June, 1858	First instalment	153 60	
lxxxix xc	Forfeited, offered at auction, not sold	100.00	2.00	98.00				
xci xcii xciii	J. S. Helmcken	201.10	113 75	87.35	21st May, 1858	In full	415 48	
xciv	M. Coles	26.44	1.44	25.00	11th Dec, 1858	do	99 00	
xcv	G. Reid	22.44	2.44	20.00	7th July, 1858	do	96 38	

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xcvi	J. Douglas	239.50	91.50	148.00	10th Feb., 1859	In full		725 94	
xcvii	J. Gowdie	37.67	17 67	20.00	16th Jan., 1862		£	22 4 2	
xcviii	Government Reserve	350.00							
xcix	H Rhodes	113.00	2.00	111.00	1st Aug., 1859			111 00	
c	J. S Helmcken	147.75	95.75	52.00	July, 1858			249 60	
ci	D. Cameron	101.50	1.50	100.00	13th April, 1859	First instalment		120 00	£ 35 0 0
					9th Dec., 1861	Second instalment		121 95	
					do	Interest on second instalment		16 25	
					2nd Feb., 1863	On account of third instalment		72 75	
cii	Government Reserve, Naval Hospital	7.00							
ciii	J. Greig	36.00	12.00	24.00	9th Feb., 1859	First Instalment		28 80	$ 28 80
					19th Feb., 1861	Second instalment and interest		32 20	
					20th Jan., 1863	Third instalment and interest		29 40	
civ	Fur Trade Branch of the H.B.Co.	22.70	2.70	20.00	7th Feb., 1860	In full		100 00	
cv	G. McKenzie	115.56	57.56	58.00	14th Feb., 18 9	First Instalment		69 67	106 70
					29th Feb., 1861	Second instalment and interest		71 27	
cvi					2nd Feb., 1863	On account of third instalment		33 95	
	W. Reid	110.80	56.30	54.50	14th Feb, 18 9	First instalment		65 40	66 08
					15th Feb., 1 61	Second instalment and interest		73 11	
					30th Jan., 1863	Third instalment and interest		79 05	
cvii	M. Francis	106.28	49.28	57.00	20th Nov., 1862	In full	£	63 7 10	
cviii cix	Jas. Porter	262.50	65.50	196.50	8th Feb., 1860	do	$	450 94	
cx	Government Reserve at Albert Head	90.00							
cxi	J. Simpson	93.00	30.00	63.00	30th March, 1858	In payment for 25 acres		120 00	46 07
						First instalment on 68 acres		81 60	
						On account of second instalment		8 40	
						Balance of instalment		1 22	
						Third instalment and interest		50 98	
cxii		102.00	2.00	100.00	18th Jan., 1860	In full		100 00	
cxii a, cxiii cxiv cxv		407.50	84.50	323.00					
cxvi	Isaac Collins	100.00	2.00	98.00	25th Jan., 1860	In full		129 00	
cxvii		122.00	5.00	117.00					
cxviii	E Roseman	22.00	0.00	22.00	17th Nov., 1862	First instalment		5 81	
cxix	Government Reserve, Indian Village	112.00							

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to 1st February, 1864, for the District of Metchosin.

Section.	Name.	Content acres.	Deduct acres.	Charged acres	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
i	James Cooper	385.00	0.00	385.00	12th Feb, 1859	In full	1 952 04	
ii	S Kitson	319.00	8.00	311.00	10th Oct, 1857	do	1 492 80	
iv	P. Fraser	250.00	0.00	250.00	10th Oct., 1855	do	1.200 00	
v	J. McGregor	180.00	29.00	151.00	Jan., 1863	do	£ 174 12 6	
vi	A. G. Dallas	102.20	31.50	70.70	14th Nov, 1859		£ 70 19 0	
viii	Geo. Coles	100.00	2.00	98.00	1st Aug., 1859		$ 98 00	
ix	W. Richards	100.00	2.00	98.00	17th Jan, 1859	First instalment	120 00	
	Forfeited and sold at auction				13th Dec, 1861	M. Castle, @ $1 05 per acre. In full	102 90	
x	J. E. Ruffey	75.36	2.00	73.36	19th Aug., 1860		73 36	
xx	Government Reserve	100.00	2.00	98.00				
xxx	J. Ash	89.80	1.80	88.00	7th Sept., 1863	First instalment	44 00	
xxxi	W. Millington	90.38	1.38	89.00	13th March, 1860	In full	89 00	
xxxii	J. McGregor	100.50	2.50	98.00	24th June, 1858	First instalment	120 00	332 65
					4th Dec., 1861	On account of second instalment	£ 5 0 0	
xxxiii xxxiv	A. Munro	183.99	3.99	180.00	9th Aug, 1859	In full	$ 180 00	
xxxvii	R Weir	150.00	3.00	147.00		do	147 00	
xxxviii	Government Reserve	12.00						
xl	Walter Simms	204.00	92.00	112.00	24th May, 1858	First instalment	134 40	
xli xlii	D. B. Ring	283.30	3.80	279.50	24th Sept., 1861	In full	279 50	

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Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment	By whom Paid.	Payment made. $ cts.	Payment due. $ cts
xliii	J. Ash	96.00	2.00	94.00	7th Sept. 1863	First instalment	47 00	
xli xlii	J. Parker	214.40	3.00	211.40	29th July, 1859	In full	1,014 60	
liv lv	T. N. Innes	187.94	6.09	181.84	7th June, 1858	First instalment	218 00	212 48
					3rd Feb., 1863	Second instalment and interest	261 84	
					do	Third instalment and interest	261 84	
					do	On account of fourth instalment	5 72	
lvi	R. Weir	120.00	20.00	100.00	26th May, 1858	First instalment	120 00	
					24th June, 1861	Second instalment and interest	£ 27 18 4	242 50
					3rd Dec., 1861	On account of third instalment	£ 5 0 0	
lvii	M. Rowland	406.00	4.00	402.00	5th June, 1858	First instalment	$ 482 4	
	Forfeited and sold by auction to					On account of second instalment	17 6	
	J. M. Reid, @ $1 10 per acre					In full	442 2	
lviii	L. Lowenberg and N. Treweek	261.00	1.00	260.0	11th F b, 1859	First instalment	312 00	
	Forfeited and sold at auction				13th Dec., 1861	L. Lowenberg, @ $2 per acre. In full	520 00	
lix	H. Tiedeman	158.57	0.57	158.00	19th Oct., 1863	In full	372 08	
lx lxi lxii lxiii lxvi	J. Parker	795.56	11.56	784 00	19th Aug., 185	do	784 00	
lxx	W. H. Burr	100.00	2.00	98.00	14th March, 1860	do	98 00	
lxxi lxxii lxxiii	J. Ollis	300.00	6.00	294.00	3rd May / 7th July 1860	do	294 00	
lxxiv	A. G. Dallas	274.34	67.63	206.71	24th Nov. 1859	do	£ 206 19 0	

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to 1st February, 1864, for Sooke District.

Section.	Name.	Content	Deduct acres	Charged acres.	Date of Payment.	By Whom Paid.	Payment made $ cts	Payment due. $ cts.
i ii iii	J. Muir, Senr	582.50	32.00	550.00	15th Oct., 1857 / 2nd Nov., 1859 / 9th Dec., 1861	First instalment / Second instalment and interest / On account of third instalment	660 60 / 756 93 / £ 45 0 0	1,116 71
iv	James Yates	79.00	0.00	79.00	2nd Feb., 1859	In full	$ 379 20	
v	Michael Muir	71.00	1.50	69.50	15th Oct., 1857	First instalment	83 40	
						Second instalment and interest	95 55½	84 27
						Third instalment and interest	£ 20 17 10	
vi	Andrew Muir	92.00	3.00	89.00	15th Oct., 1857	First instalment	$ 106 80	
					2nd Nov., 1859	Second instalment and interest	122 37½	107 91
						Third instalment and interest	£ 26 2 10	
vii	Archibald Muir	103.00	3.00	100.00	15th Oct., 1857	First instalment	$ 120 00	363 75
viii	Government Reserve, Indian Village	60.00						
ix	H. McKay	20.74	0.74	20.00	18th Dec., 1859	In full	108 37	
x	W. J. McDonald	107.14	2.00	105.14	4th Nov., 1858	First instalment	128 56	
	Forfeited and sold at auction				13th Dec. 1861	W. J. McDonald, @ $1 per acre. In full	105 14	
xi	Forfeited and sold at auction	190.53	1 00	89.53	4th Nov., 1858	First instalment	240 00	
	D. McTavish				23rd Feb., 1863	John Ash, @ . In full	521 12	
xii	J. Nagle	42.72	0.72	42.00	14th Dec., 1861	In full	£ 46 11 2	
xiii	W. J. McDonald	110.70	4.00	106.70	4th Nov., 1858	First instalment	$ 111 44	
xiv	J. A. Grahame Forfeited	215.00	3.00	212.00	4th July, 1858	Offered at auction 13, 12, 61. First instalment	240 00	
	Forfeited and sold at auction				13th Dec., 1861	G. H. Cary, $2 25 per acre. In full	240 07	
xv	W. Moriarty	102.00	2.00	100.00		Offered at auction. First instalment. In full	120 00	
xvi	Government Reserve	111.00						
xvii	Skiffington Holderness	150.00	2 50	148.00	1st Aug., 1859	In full	148 00	
xviii xix xx xxi xxii xxiii xxiv xxv		973.40	16.90	956.50				
xxvi	John Hill	85.40	1.40	84.00	12th Aug., 1859	In full	84 00	
xxvii	Ferdinand W. Hutchinson	170.80	1.80	169.00	28th Jan., 1863	do	331 95	

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xxviii xxix	Ferdinand W. Hutchinson	219.00	4.00	215.00	28th Jan., 1863	In full	459 79
xxx xxxi	J. Nisbet	271.70	4.70	267.00	29th June, 1858	do	267 00
xxxiv	H. Piers	143.00	2.00	141.00	10th Aug., 1859	do	141 00
xxxv	Gerald Yeo	143.00	2.00	141.00	10th Aug., 1859	do	141 00
xxxvii	W. Salmon	143.00	2.00	141.00	10th Aug., 1 59	do	141 00
xlv	C Bartlett	192 70	1.70	191.00	29th June, 1858	do	191 00
xlvi	J. Bell	135.00	2.00	133.00	9th Aug., 1859	do	133 00
xlvii xlviii	J. Nisbett	214.00	4.00	210.00	29th June, 1859	do	210 00
lxiii lxiv	W. B. Naylor	132.00	2.00	130.00	18th Nov., 1859	do	130 00
lxv lxvi	G. Jenner	130.00	2.00	128.00	13th Sept., 1859	do	128 00
lxvii	H. Rhodes	8.00	0.00	8.00	19th Nov., 1859	do	8 00
lxix	J. Ash	61.00	1.00	60.00	7th Sept., 1863	do	60 00
lxx	W. B. Naylor	91.00	1.00	90.00	22nd Nov, 1859	do	90 00
lxxi	R. Burnaby	100.00	2.00	98.00	13th Sept., 1859	do	98 00

SALLAS ISLAND.

Section.	Name	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
1 w 4, 5, 6, 7, 1 E 67	M. T. Drake	442.00	12.00	430.00	26th June, 1860	In full	£ 129 0 0	
	Government Reserve, Sand Spit, about	45.00						
	G. H. Cary, the remainder of the Island	1523.00	40.00	1483.00	11th May, 1863	First instalment. August 1862	$ 741 50	

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to to 1st February, 1864, for Lake District.

Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts	Payment due. $ cts.
i	C. Dodd	263.00	199 25	63.75	4th Nov., 1858	In full	327 98	
ii	W. Hillier	50.57	30.57	20.00	29th Jan., 1856	do	96 00	
iii	W. Pike	44.42	24.42	20.00	do	do	96 00	
iv	R. Porter	81.00	41.00	40.00	21st May, 1856	do	192 00	
v	H. N. Piers	205.00	5.00	200.00	8th June, 1852	do	960 00	
vi	C. Pike	63.46	25.16	35.00	26th May, 1856	do	168 00	
vii	G. Blinkinsop	356.26	176.26	180.00	28th Nov., 1861	do	£ 210 18 9	
viii viii a viii b	A. G. Dallas	825.00	412.50	412.50	24th Nov, 1859	do	£446 13 2½	
ix	M. Rowland	229.75	29.75	200.00	28th March, 1859	do	$ 977 50	
x	R. Smith	40.00	1.60	38.40	1st March, 1861	do	£ 44 4 0	
xi	J. C. Van Almond	60.30	10.30	50.00		do	£ 55 12 6	
xii	H. Tuzo	111.18	2.18	109.00	1st Aug., 1859	do	$ 109 00	
xiii	C. Dodd	179.00	40.00	139.00		do	715 11	
xiv	J Williams	27.25	2.25	25.00	1st Oct., 1857	do	120 00	
xv	R. Williams	27.25	2.25	25.00	do	do	120 00	
xvi	W. Williams	27.25	2.25	25.00	do	do	120 00	
xvii	J. Williams	27.25	2.25	25.00	do	do	120 00	
xviii	R Caselton	27.25	2.25	25.00	do	do	120 00	
xix	G. Greenwood	200.00	100.00	100.00		do	547 45	
xx	G. Mason	292.00	172.00	120.00		do	£ 133 12 6	
xxi	R. Porter	59.00	27.00	32.00		do	$ 177 19	
xxii	S. Ricketts	89.59	0.59	89.00			190 00	267 07
xxiv xxv	G G. Halcrow	196.90	2.90	194.00		In full	486 22	
xxvi	A. G. Dallas	74.00	26.00	48.00	24th Nov., 1859	do	230 40	
xxvii	J. Farquhar	100.00	2.00	98.00	22nd May, 1861	do	£ 42 0 9	
xxviii	S. Haseltine	107.00	1.50	105.50	9th Dec., 1861	First and second instalment	£ 56 9 10	258 84
xxix	J. Farquhar	83.00	1.00	82.00	17th April, 1862	In full	£ 89 19 10	
xxx xxxi	G. Deans	152.00	2.00	150.00	9th Dec., 1861		£119 13 9	181 87

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Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts	Payment due. $ cts.
xxxii xxxiii	J. Todd	163.00	2.00	161.00	9th Dec., 1861		£ 131 8 9	195 21
xxxiv xxxv	D. McTavish, forfeited and sold by auction to D. B. Ring, @ $1 60 per acre	172.00	3.00	169.00	4th Nov., 1858		$ 240 00	
xxxvi	A. Meyer	102.20	2.20	100.00	17th Dec., 1863	In full	545 93	
xxxvii xxxviii	J. H. Doane	202.20	4.20	198.00	18th July, 1861	do	£ 215 6 6	
xxxix xl xli	A. Meyer and R Treweek	297.50	5.50	292.00		do	$ 1301 24	
xlii	Government Reserve	86.00						
xliii	H. Smith	100.00	2.00	98.00	16th Oct., 1858	First instalment		
					30th Aug., 1861	Second instalment and interest	£ 81 0 9	
					13th Jan., 1863	Third instalment and interest		
xliv xlv xlvi	T. J. Skinner	287.20	5.20	282.00	28th Jan., 1863	In full	£ 323 14 2	
xlvii	H. Smith	100.00	2.00	98.00	16th Oct., 1858	First Instalment	$ 117 60	
							£ 24 10 0	
					30th Aug., 1861	Second instalment and interest	£ 2 19 2	
							£ 24 10 0	
					13th Jan., 1863	Third instalment and interest	£ 4 13 11	
xlviii	J. Farquhar	76.50	1.50	75.00	22nd May, 1861	In full	£ 32 3 6	
xlix l	H. Lewis	152.50	2.50	150.00	9th Aug., 1859	do	$ 150 00	
li lii	G H. Cary	201.50	3.50	198.00	9th Aug., 1859	do	198 00	
liii	Meyer and Treweek	148.60	3.60	145.00	19th Oct., 1863	do	801 84	
liv	do	100.00	2.00	98.00	22nd Feb., 1859	First instalment. In full	117 60	
	Forfeited and sold at auction				13th Dec., 1861	L Lowenberg, @ $1 per acre. In full	98 00	
lv	Paris Carter	100.00	2.00	98.00	26th Nov., 1860	In full	98 00	
lvi		100.00	2.00	98.00				
lvii	N Treweek. Forfeited and sold	100.00	2.00	98.00	31st June, 1858	First instalment	120 00	
lviii	R Golledge	96.00	2.00	94.00	29th July, 1863	In full	£ 104 4 10	
lix	C. B. Wood, and W. H. J. Brown	58.50	0.50	58.00	8th March, 1859	First instalment. In full	69 60	
	Forfeited and sold at auction				13th Dec., 1861	L Lowenberg, @ $1 per acre. In full	58 00	
lx	W. G. Cormack	62.00	1.00	61.00	9th Aug., 1859	In full	61 00	
lxi	E. Lewis	90.50	1.50	89.00	4th March, 1859	First instalment. In full	106 80	
	Forfeited and sold by auction				16th Feb., 1863	J B. Timmerman, @ $2 50 per acre. In full	222 50	
lxii	G. H. Cary	100.00	11.50	88.50	9th Aug., 1859	In full	88 50	
lxiii lxiv	H Lewis	175.00	3.00	172.00	do	do	172 00	
lxv lxvi	J. B. Long	200.00	4.00	196.00	30th Sept, 1862	First instalment. In full	98 00	
lxvii		100.00	2.00	98.00				
lxviii	R. Golledge	100.00	2.00	98.00	29th July, 1863	In full	£ 108 11 6	
lxix	T. Farquhar	100.00	2.00	98.00	3rd Sept., 1863	do	$ 215 60	
lxx	P. Medana	100.00	2.00	98.00	16th Feb., 1863	do	301 20	
lxxi	J. B. Timmerman	100.00	2.00	98.00	28th Feb., 1863		252 35	
lxxii lxxiii	H. Child	200.00	4.00	196.00	22nd Oct, 1863	First Instalment	26 28	
lxxiv lxxv lxxvi lxxvii lxxviii lxxx lxxxi lxxxii lxxxiii		1078.62	23.62	1055.00				
lxxix	T. Jackson	100.00	2.00	98 00	16th July, 1862	First instalment	£ 5 8 4	
lxxxiv	J. Stewart	100.00	2.00	98.00	25th June, 1860	In full	$ 98 0	
lxxxv		100.00	2.00	98.00				
lxxxvi lxxxvii lxxxviii	J. Bayley, and J. Durrance	300.00	6.00	294.00	26th April, 1860	In full	294 00	
lxxxix xc	J. White	200.00	83.00	117.00	10th Aug., 1860	do	117 00	
xci xcii xciii xciv xcv		479.00	60.00	419.00				
xcvi xcvii	M Rowland	381.00	4.13	377.00	10th April, 1859	First instalment	452 40	1,371 73
xcviii	H. N. Piers	109.30	2.30	107.00	16th Sept., 1858	First instalment		
					19th Sept., 1860	Second instalment and interest	£ 87 6 5	129 74
					9th Sept., 1861	Third instalment and interest		
xcix	J Fish	133.35	1.35	132.00		In full	£ 151 16 0	
c	W. Foot	101.50	1.50	100.00	9th July, 1858	First instalment	$ 120 00	243 25
					25th Feb., 1863	Second instalment	120 50	
cili civ	M. B. Begbie	256.21	3.21	253.00	15th Aug., 1859	In full	253 00	

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ci	W. Hillier	41.99	21.49	20.50	29th Dec., 1863	In full	£23 14 10	
cii	J. Stevens	103.01	3.01	100.00	15th July, 1859	First instalment	£ 53 7 6	242.50
					8th Feb., 1862	Second instalment and interest		
cv	W. Williams	117.48	1.48	116.00	10th Aug., 1859	In full	$ 116 00	
cvi	J. N Thain	116.94	1.94	115.00	do	do	143 75	
cvii	R. H. Rolls	138.30	1.30	137.00	1st Aug., 1859	do	137 00	
cviii	R. Cheeseman	200.00	50 00	150.00	17th Sept., 1860	do	£ 160 2 3	
cix	P. Medana	135.16	1.16	134.00	1st Aug., 1859	do	134 09	
cx	R. Power	89.38	1.38	88.00	1st Aug., 1859	do	88 00	
cxi	M. B. Begbie	68.51	1.51	67.00	15th Aug , 1859	do	67 00	
cxxi	J. Farquhar	44.00	00.00	44.00	1st Aug., 1859	do	£ 18 7 8	
cxxii cxxiii cxxiv	J. Bayley and J. Durrance	300.00	6.00	294.00	27th Sept., 1860	do	$ 294 00	
cxxvi cxxvii	Henry Child	100.00			22nd Oct., 1863	First instalment	26 28	
cxiii cxiv	Thomas Harris	122.40			3rd June, 1860	In full	122 40	

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to 1st February, 1864, for South Saanich.

Section.	Name.	Content	Deduct acres.	Charged acres.	Date of Payment.	By Whom Paid.	Payment made $ cts	Payment due. $ cts.
1 E 3 S	E. Scott	100.25	2.25	98.00	24th Jan., 1863	In full	543 26	
1 E 4 S	L Lowenberg	100.29	2.29	98.00	22nd March, 1858.	First instalment	117 60	
					18th Feb , 1861	Second instalment and interest	£ 26 18 0	199 65
					27th Jan., 1863	On account of third instalment	£ 8 4 11	
1 E 5 S	D. Lydgate and W. Thompson	100.32	2.32	98.00	1st June, 1858	First Instalment	$ 58 80	
					28th May, 1861	Second instalment and interest	68 03	
					15th Jan., 1863	On account of third instalment and interest	71 18	
					29th April, 1863	On account of fourth instalment and interest	18 82	
							45 94	
1 E 6, 7, 8, S	H. Simpson	301.13	7.13	294.00	1st July, 1858	First instalment		
	S. 7, 8. Forfeited, and payment transferred				9th Nov., 1861	Second instalment and interest	£ 111 5 4	
					9th Feb , 1863	On account of third instalment and interest		
1 E 9, 10, S	G. Deeks	200.31	4.31	196.00	2nd July, 1858	First instalment	$ 235 20	
							289 96	
					9th Feb., 1863	Cash on account of third instalment and interest	120 85	611 10
							120 85	
	W. G. Smith	300.63	6.63	294.00	20th Nov., 1858	In full	£ 342 7 4	
1 E 11, 12, 13, S					8th Dec., 1860			
					13th Jan., 1862			
1 E 14 S	W. Selleck	100.52	2.52	98.00	4th Nov., 1858	First instalment	117 60	
					13th Jan., 1862	Second instalment and interest	£ 27 17 4	118 82
						On account of third instalment and interest	$ 118 82	
1 E 15 S	do	100.47	2.47	98.00	10th March, 1859.	First instalment	117 60	
	Forfeited and sold by auction				13th Dec., 1861	Geo. Hills, @ $1 75 per acre. In full	171 50	
1 E 16 S	S. P. Lewis	100.13	2.13	98.00	29th Aug., 1860	In full	98 00	
1 E 11 E 3, 2 S	A. Munro	200.59	62.59	138.00	21st Sept., 1858	Cancelled		
1 E 4 S	L. Lowenberg	100.49	2.49	98.00	28th June, 1858	First Instalment	117 60	
					20th Nov., 1861	Second instalment and interest	135 08	118 82
					1st Aug., 1862	Third instalment and interest	139 75	
1 E 5 S	W. A. Mouatt	100.63	2.63	98.00	24th June, 1858	First instalment	117 60	
						Second instalment and interest	£ 26 16 11	
	Forfeited and sold by auction				16th Feb., 1863	R. H. Stone, @ $1 62½ per acre. In full	$ 159 29	
1 E 6 S	W. A. Mouatt	100.86	1.86	99.00	24th June, 1858	First instalment	118 80	
	Forfeited and sold by auction				22nd May, 1861	Second instalment and interest	£ 27 1 0	
					16th Feb., 1863	In full	$ 185 62	
II, E, 7, S	C. Vereydhen	100.96	1.96	99.00	24th June, 1858	First instalment	120 00	
	Forfeited and sold at auction				13th Dec , 1861	J. W. Leigh, @ $1 15 per acre. In full	113 85	
II, 8, S	A. Whipple	100.80	1.80	99.00	24th June, 1858	First instalment	120 00	

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Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts	Payment due. $ cts.
	Forfeited and sold by auction					W. Hicks. @ $1 40 per acre In full	138 60	
9, 10, S	T. J. A. Chambers	291.28	5.28	196.00	24th June, 1858...	First instalment	240 00	
	Forfeited and sold by auction to H. Nathan				16th Feb., 1863 ...	@ $1 37½ and $1 50 per acre. In full	281 70	
11, 12, S	Donald Fraser	200.61	84.61	116.00	1st July, 1858.....	First instalment	139 20	
	Forfeited and sold by auction					Second instalment	105 60	
							33 60	
				196.00	16th Feb., 1863...	H. Nathan, @ $3 25 per acre. In full	637 00	
15, S	J. B. Lang	99.93	1.93	98.00	30th Sept, 1863...	First instalment. On account	13 00	
17, S	J. B. Long	99.95	1.95	98.00	30th Sept, 1858...		49 00	
III, E, 2, 3 S		199.84	3.84	196.00				
III, E, 4, 5 S	S. Tindell	198.95	2.95	196.00	2nd May, 1859	First instalment	235 20	
					30th Aug., 1860...	Second instalment and interest	£ 54 0 0	325 30
					do	On account of third instalment and interest	$ 150 00	
III, E, 6 S	T Bridges	99.50	1.50	98.00	25th June, 1858 ...	First instalment	117 60	
III, E, 7, 8 S					4th Dec., 1861	Second instalment and interest	£ 27 8 6	137.65
III, E, 7, 8 S	A. F. Main	199.13	3.13	196.00	26th June, 1858 ...	First instalment	$ 235 20	
					9th Dec., 1861	Second instalment and interest	£ 55 7 4	375 30
					28th June, 1858...	On account of third instalment	100 00	
III, E, 9 S	A. F. Main	99.60	1.60	98.00	26th June, 1858 ...	First instalment	117 60	
	Forfeited and sold at auction				13th Dec., 1861 ...	G. H Cary, @ $2 80 per acre. In full	274 40	
III, E, 10 S	A. F. Main	99 82	1.82	98.00	16th July, 1859 ...	First instalment	117 60	
					11th Dec, 1861 ...	Second instalment and interest	£ 27 17 4	237 65
III, E, 11S	M. Harris	100.00	2.01	98.00	24th June, 1858...	First instalment	117 60	
					24th June, 1858...	On account of second instalment	2 40	
	Forfeited and sold by auction				13th Dec, 1861 ...	G. H. Cary, @ $1 05 per acre. In full	102 90	
III, E, 12 S	Donald Fraser	100.20	2.20	98.00	1st July, 1858.....	First instalment	117 60	
						Second instalment	117 60	
	Forfeited and sold at auction				16th Feb, 1863 ...	H. Nathan @ $1 50 per acre. In full	147 00	
III E, 14 S	James Noland	100.31	2.31	98.00	29th March, 1860..	In full	98 00	
III, E, 15 S	J. A. Robinson	100.25	2.25	98.00	13th Oct, 1863....	First instalment	25 75	
III, E, 16 S	H. Thomas	100.22	2.22	98.00	28th Nov., 1860...	do	98 00	
III, E, 17 S	R. Milton	100.19	2.19	98.00	1st Nov., 1860	do	98 00	
IV E, 2, 3, 4, 5 S		310.00	4.00	306.00				
IV E, 6, 7, 8, S	Government Reserve	295.87						
IV E, 9	Geo. Richardson	99.90	1.90	98.00	4th Nov., 1858....	First instalment	352 80	
IV E, 10, 11 S	do	199.75	3.75	196.00	3th Dec., 1861....	Second instalment and interest	£ 83 7 11	416 96
						On account of third instalment and interest	$ 200 00	
IV E, 12, 13, 14 S	G. E. Nias and F. A. Anderson	300.64	6.64	294.00	19th Dec, 1859 ...	In full	294 00	
IV E, 15 S	J. A. Robertson	100.21	2.21	98.00	24th Sept., 1860...	do	98 00	
IV E, 16 S	H. Thomas	99.97	1.97	98.00	28th Nov., 1860...	do	98 00	
IV E, 17 S	R. Milton	99.90	1.90	98.00	7th Nov, 1860	do	98 00	
IV E, 18 S	J. Spotts	100.10	2.10	98.00	1st Nov., 1860	do	98 00	
V E, 6, 7, 8 S	Government Reserve	305.94						
9, 10, 12 S	G. F. Foster	299.39	5.39	294.00	30th Oct., 1859....	In full	294 00	
11 S	T. B Shaw	99.80	1.80	98.00	do	do	98 00	
13 S	C L. Doane	99.67	1.67	98.00	do	do	98 00	
14	G. E. Nias and F. A. Anderson	99.67	1.67	98.00	19th Dec., 1859...	do	98 00	
15, 16, 17, 18 S	J. H. Doane	399.07	7.07	392.00	18th July, 1861 ...	do	£411 12 0	
VI E, 8 S	Government Reserve	39.00						
9, 10, 12 S	G. F. Foster	167.00	1.00	166.00	30th Oct., 1859....	In full	$ 166 00	
VI 11 S	T. B. Shaw	68.00	1.00	67.00	do	do	67 00	
VI 13 S	C L. Doane	62.00	1.00	61.00	do	do	61 00	
VI 14 S	G. E. Nias and F. A. Anderson	67.00	1.00	66.00	19th Dec., 1859....	do	66 00	
15, 16, 17, 18 S	J. H. Doane	346.00	98.00	248.00	18th July, 1861 ...	do	£ 260 8 0	
1 W 1, 2, 3 S	W. Thomson	300.00	6.00	294.00	17th Nov., 1862...	First instalment	£ 12 9 2	
1 W 4 S	R. Finlayson	99.86	0.86	99.00	1st July, 1858	do	$ 118 80	
					30th May, 1861 ...	Second instalment and interest	£ 26 12 2	
1 W 5 S	W. Thompson	99.60	1.60	98.00	8th Aug., 1859....	In full	$ 470 40	
1 W 6 S	do	99.67	1.67	98.00	1st Aug., 1859	Balance of first instalment	£ 2 0 0	
1 W 7, 8, 9 S	Government Reserve	300.53				Second instalment and interest	£ 52 5 8	237 60

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1 W 10 S	W. J. McDonald	100.30	2.30	98.00	26th April, 1862	In full	£	107 17 3
1 W 11, 12, 13 S	W. G. Smith	300.31	6.31	294.00	13th Jan., 1863	do	£	313 7 2
1 W 14, 15 S	W. Selleck	199.90	3.90	196.00	4th Nov., 1858	First instalment	$	235 20
	Forfeited and sold by auction				13th Dec., 1861	G. Hills @ $1 55 per acre. In full		303 80
11 W 4 S	R. Finlayson	100.00	2.00	98.00	1st July, 1858	First instalment		117 60
					30th May, 1861	Second instalment and interest	£	26 7 3
11 W 5, 6 S	A. McPhale	172.55	2.55	170.00	23rd Dec., 1861	In full	$	916 06
11 W 7, 8, 9 S	Government Reserve	194.00						
11 W 10 S	W. J. McDonald	65.00	1.00	64.00	26th April, 1862	In full	£	70 9 1½
11 W 11, 12 S	W G. Smith	104.00	52.00	52.00	13th Jan., 1863	do	£	53 6 0
11 W 13, 14 S	W. Selleck	122.00	5.00	117.00	4th Nov, 1858	First instalment	$	260 40
	Forfeited and sold by auction				13th Dec., 1861	Geo. Hills @ $1 55 per acre. In full		341 10
11 W 15 S	W. J. McDonald	45 00	1.00	44.00	26th April, 1860	In full	£	48 14 6
111 W 4, 5 S	R. Finlayson				30th May, 1861	Second instalment and interest	£	17 4 2
					1st July, 1858	First instalment	$	79 20

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made. Date of same, and Amounts due to to 1st February, 1864, for Highland District.

Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
XXIII	Craigie and Spence	80.00	41.00	39.00	21st Jan., 1863	In full	£ 42 7 4	
R, O, W, 2, 3, 4, 5	Thomas Harris	330.00	17.00	313.00	6th June, 1860	do	$ 313 00	
R I W, 1, 2, 3, 4 5	do	462.20	17.20	445.00	do	do	445 00	
R IIIW, 1, 2, 3	Caleb Pike	292.00	6.00	286.00	3rd May, 1860	do	286 00	

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to 1st February, 1864, for North Saanich District.

Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
I E, 6 N	W. D. Gosset	100.38	2.38	98.00	2nd March, 1863	In full	£ 109 0 6	
I E, 7 N	G. H Richards	100.42	2.42	98.00	2nd Oct., 1862	do	£ 109 14 7	
I E, 8 N	S Franklyn	100.60	1.60	99.00	30th Nov., 1863	do	$ 523 53	
I E, 9, 10, 11, 12, N	J. A. Bull	401.96	6.96	395.00	30th Oct., 1862	do	£ 433 9 10	
I E, 13, 15, 16 N	T. Lowe	300.24	6.24	294.00	9th June, 1858	First instalment	$ 352 80	
						Second instalment and interest	£ 82 13 0	356 47
						Third instalment and interest	$ 408 45	
I E, 16, 17, 18, N	J. A. Grahame	299.01	5.01	294.00	4th Dec., 1861	In full	£ 329 12 4	
E½ 20, 21, N	M. Coles	199.28	3.28	196.00	30th Nov., 1851	do	$ 150 00	
II E, 4, N	J. Philips	99.76	1.76	98.00	24th Sept., 1860	do	98 00	
II E, 5, N	E. Green	99.76	1.76	98.00	24th June, 1858	First instalment	117 60	
					1st Aug., 1860	Second instalment and interest	£ 26 2 5	
					10th Jan., 1863	Third instalment and interest	£ 29 3 11	
6 N	L. Morrell	99.50	1.50	98.00	7th March, 1859	First instalment	$ 117 60	
					28th May, 1861	Second instalment and interest	£ 27 19 8	118 82
					3rd Oct., 1862	Third instalment and interest	£ 28 17 9	
II E, 7, 8, 9, N	W. & C. H. Reay	298.66	4.66	294.00	22nd March, 1859	In full	£220 10 0	
II E, 10, 11, 12, N	W. Ommaney	300.02	6.02	294.00	30th Jan., 1863	do	$ 1,680 19	
II E, 13, 14, 15, N	D. McTavish	300.06	6.06	294.00	18th Aug., 1861	do	£ 301 2 7	
II E, 16, 17, 18, N	J. Smith	261.00	4.90	257.00	9th Aug., 1859	do	$ 257 00	
II E, 19, N	A. C. Anderson	57.00	1.00	56.00	30th March, 1861	do	56 00	
III E, 4, N	J. Philips	64.00	1.00	63.00	24th Sept., 1860	do	63 00	
5 N	E. Green	49.00	1.00	48.00	24th June, 1858	First instalment	57 60	
					1st Aug., 1859	Second instalment and interest	61 53	
					10th Jan., 1863	Third instalment and interest	£ 14 6 0	

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Section.	Name	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
6 N	W. D. Gossett	59.00	1.00	58.00	2nd March, 1863	In full	$ 64 10 6	
7, 8, 9, N	W. & C. H. Reay	295.00	5.20	290.00	22nd March, 1859.	do	£ 217 10 0	
10 N	W. Ommaney	100.06	2.06	98.00	28th Jan., 1863	do	$ 526 73	
11, 12, N	D. Fraser	200.00	4.00	196.00	1st July, 1858	do	648 00	
13 N	J. Irving	100.00	20.00	98.00	1st July, 1858	First instalment	117 60	
	Forfeited and sold					On account of second instalment	49 20	
	by auction					W. Booth, @ $2 25 per acre. In full	220 50	
III E, 14 N	J. G. Kennedy	100.00	2.00	98.00	2nd July, 1858	First instalment	117 60	
	Forfeited and sold				4th March, 1859	On account of second instalment	2 40	
	by public auction				13th Dec., 1861	W. Booth, @ $2 per acre. In full	196 00	
15 N	J. Schmidt	92.00	2.00	90.00	29th April, 1861	In full	90 00	
IV E, 9 N	W. & C. H. Reay	36.00	1.00	35.00	22nd March, 1859.	do	£ 26 5 0	
IV E, 10 N	W. Ommaney	63.00	1.00	62.00	28th Jan., 1863	do	$ 333 23	
IV E, 11, 12 N	D. Fraser	106.00	2.00	104.00	1st July, 1858	do	374 40	
IV E, 13 N	J. Irving	62.00	1.00	61.00		First instalment	73 20	
	Forfeited and sold at auction				16th Feb., 1863	W. Booth, @ $2 per acre. In full	122 00	
IV E, 14 N	W. Booth	35.00	1.00	34.00	8th Jan., 1863	First instalment	£ 1 14 0	
I W, 4, 5, N	Government Reserve	201.00						
6, 7, N	M. Coles	201.07	5.07	196.00	7th July, 1858	First instalment	$ 235 20	
					19th July, 1860	Second instalment and interest	£ 53 18 0	£ 49 0 0
					17th March, 1863	On account of third instalment and interest	£ 29 6 0	
					do	On account of fourth instalment and interest	£ 29 6 0	
I W, 8 N	J. N. Thain	100.42	2.42	98.00	30th June, 1858	First instalment	$ 117 60	
					9th Dec., 1861	Second instalment and interest	£ 27 16 0	
					16th Feb, 1863	Third instalment and interest	£ 31 15 0	$ 47 53
					17th March	On account of fourth instalment and interest	£ 12 5 0	
I W, 9, 10, 11, N	R. C. Mayne and D. Pender	255.44	5.44	250.00	1st July, 1858	First instalment	$ 300 00	
					18th July, 1861	Second instalment and interest	£ 70 1 0	303 12
					21st June, 1862	Third instalment and interest	£ 72 19 0	
I W, 12 N	J. A. Bull	8.00	0.00	8 00	20th Oct., 1862	In full	£ 8 17 5	
I W, 13, 14 N	J. Lowe	54.00	1.00	53.00	16th July, 1859	First instalment	$ 63 60	
					11th Nov., 1861	Second instalment and interest	£ 14 15 10	64 26
					19th March, 1863	Third instalment and interest	£ 15 13 7	
I W, 15 N	Government Reserve	69.00						
16, 17, 18, N	A. C. Anderson	300.66	6.66	294.00	5th June, 1858	First instalment	$ 360 00	
					19th Dec., 1861	Cash on account	£ 14 7 0	562 07
							$ 75 00	
I W, 21 N	M. Coles	100.56	1.56	99.00	30th Nov., 1861	In full	50 00	
II W, 4, 5, N	Government Reserve	114.00						
II W, 6, 7, N	M. Coles	200.00	4.00	196.00	7th July, 1858	First instalment	235 20	
					19th July, 1860	Second instalment and interest	£ 53 18 0	£ 49 0 0
					17th March, 1863	On account of third instalment and interest	£ 29 6 0	
					do	On account of fourth instalment	£ 29 6 0	
II W, 8, 9, 10, N	J. S. Helmcken	267.00	3.00	264.00	24th June, 1858	First instalment	$ 316 80	
					6th Dec., 1861	Second instalment and interest	£ 71 7 0	320 19
					do	Third instalment	£ 75 1 6	
II W, 16, 17, 18, N	J. Anderson	320.38	6.38	314.00	9th June, 1858	First Instalment	$ 360 00	
	Forfeited and sold at auction					G. H. Cary, @ $2 per acre. In full	628 00	
II W, 19, N	G. Richardson	100.20	2.20	98.00	2nd March, 1861	In full	£ 20 1 9	
II W, 20, N	J. Coles	100.22	2.22	98.00	26th Feb., 1861	do	$ 98 00	
II W, 21, 22, N	J. Miles	200.66	4.66	196.00	7th March, 1859	First instalment	235 20	
					9th Dec., 1861	Second instalment and interest	£ 55 14 8	£ 49 0 0
					17th March, 1863	On account of third instalment and interest	£ 29 8 0	
					do	On account of fourth instalment	£ 29 8 0	
III W, 6, 7, N	Mark Coles	123.00	2.00	121.00	7th July, 1858	First instalment	$ 145 20	
						Second instalment and interest	£ 33 5 6	
						On account of third instalment and interest	£ 18 1 8	$ 30 5 0
						On account of fourth instalment and interest	£ 18 1 8	
III W, 17, 18, N	T. B. Shaw	129.00	2.00	127.00	12th Feb., 1861	In full	$ 127 00	

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III W, 19 N	G. Richardson	59.00	1.00	58.00	2nd March, 1861..	In full	$	58 00	
III W, 20 N	J. Coles	13.00	0.00	13.00	26th Feb., 1861 ...	do		13 00	
III W, 21 N	T. Miles	17.60	0.00	17.00	7th March, 1859 ..	First Instalment		20 40	
					9th Dec., 1861 ...	Second instalment and interest	£	4 16 8	£ 4 5 0
					17th March, 1863..	On account of third instalment and interest	£	2 11 0	
					do	On account of fourth instalment and interest	£	2 11 0	

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to 1st February, 1864, for Shawnigan District.

Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
R, V, S, 18	Government Reserve	80.00	2.00	78.00				
R, V, S, 19	do	82.00	2.00	80.00				
R, IX, S, 3	do	41.10	1.10	40.00				
R, IX, S, 4	do	93.60	1.60	92.00				
R, IX, S, 12	Gabrielle St. Gel	100.00	2.00	98.00	16th Feb., 1863....	Forfeited and sold by auction to James Almon, @ $1 per acre	256 80	
R, IX, S, 6	F. X. Vautrin	100.00	2.00	98.00	8th April, 1862 ...	First instalment	26 42	

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to to 1st February, 1864, for Cowichan District.

Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
R, I, S, 5, 6, 7	Cancelled	300.00	6.00	294.00	1st July, 1858...	Forfeited. See public notice 30th July, 1862. R. R. having paid $415 20 previously	415 20	
R, I, S, 8, 9, 10	Cancelled	300.00	6.00	294.00	1st July, 1858...	Forfeited as above Donald Fraser having paid $320 40, previously. Payment transferred	320 00	
R, I, S, W, ½ 10, 11								
12, 13, 14, 15, 16, 17	Government Reserve	750.00	15.00	735.00				
S 18	J. T. Pidwell	100.00	2.00	98.00	25th Aug., 1858...	In full	£ 98 0 0	
19, and 20	Cancelled	125.50	2 50	123.00	1st July, 1858.....	Forfeited, and payment of $147 60. Transferred as above	$ 147 60	
R 11, S 9	Donald Fraser	300.00	6.00	294.00	do	S. 8, 10, forfeited, and payment of $235 20. Transferred to S 10. In full	£ 98 0 0	
S 11, 12, 13, 14, 15, 16	Government Reserve	609.00	12.00	588.00				
		200.00	4.00	196.00	do	Forfeited as above. J. T. P. having paid $236 20	$ 235 20	
R 111, S 7	Government Reserve	83.50	1.50	82.00				
R 111, S 8, 9	Donald Fraser	61.00	2.00	59.00	do	In full	£ 59 0 0	
R 111, S 8, 9, 10	Cancelled	21.00	1.00	20.00	do	Forfeited as above, $24 having been paid	$ 24 00	
R 111, S 14, 15, 16	Government Reserve	300.00	6.00	294.00				
R IV, S 4, 5	Cancelled	200.00	4.00	196.00	4th Nov., 1858....	Forfeited as above, $235 20 having been paid	$ 235 20	
R IV, S 6	J. A. Grahame	93.50	1.50	92.00	do	In full	£ 92 0 0	
R IV, S 7	Government Reserve	12.40	0.40	12.00				
R V, S 6	do	52.50	1.50	51.00				
R VII, S 8, 9, 10, 14, 12, 13	do	359.40						
R VIII, S 8, 9, 10	do	89.40						
R VIII, S 18	Alfred Waddington	116.00	2.00	114.00	11th Feb., 1863 ...	First instalment	$ 29 98	2nd, 3rd, 4th instl.
R VIII, S ¼ 19	do	50.50	1.00	49.50	do	do	13 00	do
R VIII, N ¼ 19	C. McK. Smith	50.50	1.00	49.50	do	do	13 00	do
R VIII, 20	do	90.60	1.60	89.00	do	do	23 37	do
R III, S 13	J. Compagnon	85.00	1.00	84.00	29th Dec., 1863....	First instalment	20 61	
R VI, S 18	D. Mills and W. Chisholm	100.00	2.00	98.00	25th March, 1861..	do	£ 5 8 4	
R VI, S 15, E ½	J. Mahoney	50.00	1.00	49.00		do	£ 2 14 4	
R VI, S 19, S ½	D. Mills and W. Chisholm	50.00	1.00	49.00	25th March, 1861..	do	£ 2 14 2	

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Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
R III, S 10	Government Reserve	100.00	2.00	98.00				
R IV, S 1	Cancelled	100.00	2.00	98.00	30th June, 1858	Forfeited as above, J. J. Southgate having paid $117 60		
do do 2	J. J. Southgate	100.00	2.00	98.00	do	In full	£ 98 0 0	
do do 4	Cancelled	100.00	2.00	98.00	29th June, 1858	Forfeited as above, Allan, Lowe & Co. having paid $370 80		
do do 5	do	100.00	2.00	98.00	do			
do do 6	do	100.00	2.00	98.00	do			
do do 7	R. C. Magin	100.00	2.00	98.00	15th Sept., 1862	In full	£ 98 0 0	
do do 8	E. P. Bedwell	100.00	2.00	98.00	do	do	£ 98 0 0	
R V, S 1	Rebt. Blackie	100.00	2.00	98.00	5th Jan., 1863		£ 10 8 4	
do do 2 E ½	A. C. Garrett	50.00	1.00	49.00	6th March, 1863	First instalment	$ 27 76	
do do 4	Allan, Lowe & Co	100.00	2.00	98.00	29th June, 1858	In full	£ 98 0 0	
do do 5	Neil Bell	100.00	2.00	98.00	do	Forfeited as above, (A. L. & Co. having paid $117 60.) Neil Bell afterwards taking it and paying first instalment	£ 10 4 2	
do do 6	Cancelled	100.00	2.00	98.00	29th June, 1858	Forfeited as above, Allan, Lowe & Co. having paid $117 60		
do do 11	W. M. Davie	100.00	2.00	98.00	10th Nov., 1863	First instalment	$ 50 00	
R VI, 3 E	Cancelled (Herbert Worthington)	10.00	0.00	10.00	20th Aug., 1859			
R VI, 2 W ½	A. C. Garrett	8.00		8.00	16th March, 1863	First instalment	$ 1 94	
R VI, 4	Allan, Lowe & Co	37.60	0.60	37.00	29th June, 1858	In full	£ 37 0 0	
R VII, S 1	Cancelled, (Herbert Worthington)	100.00	2.00	98.00	24th June, 1858			
R VII, S 3	do	100.00	2.00	98.00	do			
R VIII, S 1, 2, 3	do (R Rossenig)	202.20	3.20	199.00	do			
R VIII, S 7, 8, 9	do	300.00	6.00	294.00	1st July, 1858	Forfeited as above. R. R. having paid $352 80		

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to to 1st February, 1864, for Comiaken District.

Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
R I, S 3, 4	Cancelled (E. Stamp)	106.40	2.40	104.00	31st Oct., 1859			
do do 5	do	62.60	1.60	61.00	16th Sept., 1858	Forfeited, and payment transferred		
do do 6	do	92.60	1.60	91.00	do	See public notice, 30th July, 1862		
do do 7	do	100.00	2.00	98.00	do	E. S. having paid $469 20		
do do 8	do	100.00	2.00	98.00	do			
R II, S 2	do (T. Skinner)	92.80	1.80	91.00	25th June, 1858	Forfeited as above. T. S. having paid $172 20		
do do 3	Thomas Skinner	63.30	1.30	62.00	do	In full	£ 62 0 0	
do do 4	do	16.50	0.00	16.50	do	do	£ 16 10 0	
do do 6	E. Stamp	59.00	1.00	58.00	16th Sept., 1858	do	£ 58 0 0	
do do 7	do	100.00	2.00	98.00	do	do	£ 98 0 0	
do do 8	Cancelled	100.00	2 00	98.00	do	Forfeited as above. E. S. having paid $117 60		
R III, S 2	do (T. J. Skinner)	100.00	2.00	98.00	25th June, 1858	do T. J. S. do do		
do do 3	T. J. Skinner	100.00	2.00	98.00	do	In full	£ 98 0 0	
do do 4	do	100.00	2.00	98.00	do	do	£ 98 0 0	
do do 5	Cancelled	93.50	1.50	92.00	do			
do do 6	do	99.40	1.40	98.00	do	Forfeited as above. T. J. S. having paid $110 40		
R IV, S 2	do	100.00	2.00	98.00	do			
R IV, S 3	do	100.00	2.00	98.00	do			
R IV, S 4	do	100.00	2.00	98.00	do	Forfeited as above. T. J. S. having paid $352 80		
R V, S 2	do	90.80	1.80	89.00	4th Feb., 1860	do de do do $111 25		
R V, S 7 to 19	Government Reserve							
R VI, S 7 to 17	do							
R VII, S 8 to 16	do							

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RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to 1st February, 1864, for Quamichan District.

Section.	Name.	Content	Deduct acres.	Charged acres.	Date of Payment.	By Whom Paid.	Payment made. $ cts.	Payment due. $ cts.
R III, S 20		100.00	2.00	98.00	30th June, 1858 ..	Forfeited. See public notice, 30th July, 1862. Cancelled		
R IV, S 20		100.00	2.00	98.00	do	do		
R V, S 15	Government Reserve	100.00	2 00	98.00		do		
R V, S 16	do	100.00	2.00	98.00				
R VI, S 15	do	100.00	2.00	98.00				
R VI, S 16	do	100.00	2.00	98.00				
R VI, S 20 E ½	J. Corrigan	50.00	1.00	49.00	26th Jan., 1863 ...	First instalment	25 26	2d,3d,4th instalm't
R VII, S 10	do	100.00	2.00	98.00	1st July, 1858...	David Lyall had paid $297 60 on these two sections, but they were subsequently		
do do 11	do cancelled	100.00	2.00	98.00	do	forfeited, and payment transferred. See public notice, 30th July, 1862		
do do 12	David Lyall	100.00	2.00	98.00	1st July, 1858.	In full	£ 98 0 0	
do do 13	Government Reserve	100.00	2.00	98.00				
do do 14	Cancelled	100.00	2.00	98.00	21st Sept., 1858 .	A. Munro had paid $192 on this section, but it was subsequently forfeited, and payment transferred. See public notice, 30th July, 1862		
do do 15	A. Munro	100.00	2.00	98.00	do	In full	£ 98 0 0	
do do 16	do	100.00	2.00	98.00	do	do	£ 98 0 0	
do do 17	Cancelled	100.00	2.00	98.00	do	Forfeited in section 14		
do do 18	do	100.00	2.00	98.00	24th June, 1858.	H. Worthington had paid $235 20 on these two sections, but they were subse-		
do do 19	do	100.00	2.00	98.00	do	quently forfeited. Re-payment transferred as above		
do do 20	H. Worthington				do	In full	£ 98 0 0	
R VIII, S 9	Government Reserve	100.00	2.00	98.00				
do do 2	L. P. Harris	100.00	2.00	98.00	20th July, 1863...	First instalment	$ 25 00	2d,3d,4th instalm't
do do 10	Cancelled	100.00	2.00	98.00	1st July, 1858...	David Lyall had paid $235 20, on these two sections, but they were subsequent-		
do do 11	do	100.00	2.00	98.00	do	ly forfeited, and payment transferred as above		
do do 12	David Lyall	100.00	2.00	98.00		In full	£ 98 0 0	
do do 13	Government Reserve	100.00	2.00	98.00				
do do 14	do	100.00	2.00	98.00				
do do 15	do	100.00	2.00	98.00				
do do 16	do	100.00	2.00	98.00				
do do 17	do	100.00	2.00	98 00				
do do 18	Herbert Worthington	100.00	2.00	98.00	24th June, 1858...	In full	£ 98 0 0	
do do 19	do	97.60	1.60	96.00	do	do	£ 96 0 0	
do do 20	Cancelled	61.20	1.20	60.00	do	H. W. had paid $72 on this section, but it was subsequently forfeited, and payment transferred as above		

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to 1st February, 1864, for Somenos District.

Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts
R I, S V	Cancelled	100.00	2.00	98.00	16th Sept.,1858..	H. N. Piers had paid $438 on these three Sections, but they were subsequent-		
R I, S 6	do	100.00	2.00	98.00	do	ly forfeited		
R I, S 7	do	100.00	2.00	98.00	do	See Public Notice, 30th July, 1862		
R II, S 5	do	100.00	2.00	98.00	do	H. N. P. had paid $352 80 on these three Sections, but they were subsequently		
R II, S 6	do	100.00	2.00	98.00	do	forfeited as above		
R II, S 7	do	100.00	2.00	98.00	do			
R III S 1	do	100.00	2.00	98.00	30th June, 1858...	J. J. Southgate paid $182. Forfeited as above		
R III S 2	J. J. Southgate	100.00	2.00	98.00	do	In full	£ 98 0 0	
R III, S 5	H. N. Peers	100.00	2.00	98.00	16th Sept., 1858 ..	do	£ 98 0 0	
R III, S 6	do	100.00	2.00	98.00	do	do	£ 98 0 0	
R III, S 7	Cancelled	100.00	62.00	38.00	do	Forfeited as above. H. N. P. having paid $45 60 on it		
R III, S 9	Government Reserve	100.00	2.00	98.00				

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RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, date of same, and amounts due to 1st February, 1864, for Cedar Disirict.

Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
III E ½ 13	E. Gough and J. Begge	21.70	0.70	21.00	26th March, 1860..	First instalment	26 25	
					30th Jan., 1863 ...	Second instalment and interest	29 06	
					23rd July, 1863 ...	Third instalment and interest	29 69	
III E ½ 14	W. Isbester	38.90	0.90	38.00	14th Sept., 1863...	In full	207 62	
15	C. E. Stewart	93.40	1.40	92.00	15th Sept., 1859...	First instalment	115 00	£ 23 0 0
					27th Aug., 1861...	Second instalment and interest	£ 25 6 0	
					13th Nov., 1862...	Third instalment and interest	£ 26 9 0	
IV 13	E. Gough	100.60	2.00	98.00	15th Sept., 1859...	First instalment	$ 118 82	
						Second instalment and interest	139 82	
						Third instalment	138 62	
14	W. Isbester	100.60	2.00	98.60	19th Sept., 1863...	In full	535 43	
16	A. Browning	100.00	2.00	98.00	15th Sept, 1859...	First instalment	122 50	£24 10 0
						Second instalment and interest	£ 27 5 0	
						Third instalment and interest	£ 28 3 6	
15	C. E. Stewart	100.00	2.00	98.00	Sept. 1859	First instalment	$ 122 50	£34 10 11
					Aug. 1861	Second instalment and interest	£ 26 19 1	
					13th Nov., 1862...	Third instalment and interest	£ 28 3 6	
17	Geo. Baker	100.00	2.00	98.00	1st Sept, 1859	In full	£ 104 14 9	
18	J. Randall and J Sage	100.00	2.00	98.00	26th March, 1860..	First instalment	$ 122 50	
						Second instalment and interest	135 63	
						Third instalment and interest	138 62	
IV, 19, V, 19	Government Reserve	114.50	2.50	112.00				
V, 13	E. Gough	49.50	0.50	49.00	13th Feb., 1860...	First instalment	61 25	$ 59 41
					19th Feb., 1862 ...	Second instalment and interest	£ 13 10 $	
					30th Jan., 1863 ...	Third instalment and interest	$ 68 32	
V 14	W. Isbester	43.70	0.70	43.00	14th Sept., 1863...	In full	£ 47 14 6	
V 15	C. E. Stewart	34.80	0.80	34.00	15th Sept, 1859...	First instalment	$ 42 50	£ 8 10 0
						Second instalment and interest	£ 9 7 0	
						Third instalment and interest	£ 9 15 6	
V 16	A. Browning	32.70	0.70	32.00	6th Sept., 1859....	First instalment	$ 40 00	£ 8 0 0
77					9th Dec., 1861	Second instalment and interest	£ 8 18 0	
					22nd Oct., 1862 ...	Third instalment and interest	£ 9 4 0	
17	G. Baker	30.40	0.40	30.00	23rd July, 1861 ...	In full	£ 32 17 3	
18	J. Randall and J. Sage....	28.60	0.60	28.00	26th March, 1860 .	First instalment	$ 35 00	£ 7 0 0
					30th Jan., 1863 ...	Second instalment and interest	38 71	
					23rd July, 1863 ...	Third instalment and interest	40 08	

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to 1st February, 1864, for Cranberry District.

Section.	Name	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
R VIII, S 5, 6, 7	Government Reserve	300.00	6.00	294.00				
S 19, 20	do	153.80	2.80	151.00				
R VIII, S 5, 6, 7	do	253.80	5.80	248.00				
R VIII, S 16	C. Yorke	80.00	2.00	78.00	2nd Feb., 1863 ..	First instalment	£ 3 2 6 / $ 30 40	

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RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to to 1st February, 1864, for Nanaimo District.

Section.	Name.	Content acres.	Deduct acres.	Charged acres.	Date of Payment.	By whom Paid.	Payment made. $ cts.	Payment due. $ cts.
S I, II, III	Hudson Bay Company	7,267.00	1,074.00	6,193.00	7th May, 1855	In full	$29,726 40	
	Government Reserve	974.00						
R VIII, S 1, W ½	E. Gough and G. Baker	100.00	2.00	98.00	29th Aug. 1863	In full	332 41	
R VI, S 1, W ½	J. Langston	54.00	1.00	53.00	21st Oct., 1863	First instalment	13 92	
	do	84.00	2.00	82.00	do	do	21 54	
						On account of second instalment	2 89	

RETURN OF LANDS

Showing Amounts contained, Amounts deducted and charged, Payments made, Date of same, and Amounts due to 1st February, 1864, for Mountain District.

Section.	Name.	Content	Deduct acres.	Charged acres.	Date of Payment.	By Whom Paid.	Payment made. $ cts.	Payment due. $ cts.
R V, S 13, 14, 15	Government Reserve	300.00						
R VI, S 13, 14, 15	do	300.00						
R VIII, S II	Bishop G. Hills, D. D	93.68	1.68	92.00	16th Feb., 1863	Forfeited and sold at auction. First instalment by Baker & and Turner, $115 having been previously paid. In full	$ 115 00 $ 241 45	
R VIII, S 13	Peter Sabiston	88.40	1.40	87.00	4th Jan, 1864	In full	360 24	
R VIII, S 12	do	93.64	1.64	92.00	23rd March, 1863	First instalment	25 25	
					19th Jan., 1864	Second instalment	25 75	

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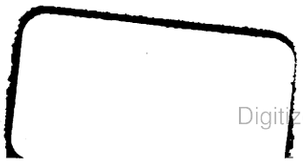

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